

AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 113**

---

**Introduced by Committee on Local Government (Senators Wiggins  
(Chair), Aanestad, Cox, Kehoe, and Wolk)**

January 29, 2009

---

An act *to amend Section 15303 of the Education Code*, to amend Sections 7902.7, 23232, 25210.2, 25332, 25502.3, 25502.5, 29000, 29001, 29002, 29005, 29006, 29007, 29008, 29009, 29040, 29042, 29043, 29044, 29045, 29060, 29061, 29062, 29063, 29064, 29065, 29081, 29082, 29083, 29084, 29085, 29086, 29088, 29089, 29090, 29092, 29093, 29100, 29100.6, 29109, 29120, 29121, 29122, 29124, 29125, 29126.1, 29126.2, 29127, 29128, 29130, 29141, 29142, 30200, 36516, 53601.8, 53646, 53961, 61002, 61061, 66412, 66434, 66439, 66445, and 66447 of, to amend the headings of Article 2 (commencing with Section 29040) of Chapter 1 of Division 3 of Title 3, Article 3 (commencing with Section 29060) of Chapter 1 of Division 3 of Title 3, and Article 4 (commencing with Section 29080) of Chapter 1 of Division 3 of Title 3 of, to repeal Sections 29004, 29065.5, 29066, 29088.1, 29091, 29129, and 29140 of, to repeal ~~Article 4 (commencing with Section 25420) of Chapter 5 of Part 2 of Division 2 of Title 3,~~ Article 10 (commencing with Section 29520) of Chapter 2 of Division 3 of Title 3, Article 13 (commencing with Section 29560) of Chapter 2 of Division 3 of Title 3, and Chapter 6 (commencing with Section 60000) of Division 1 of Title 5 of, and to repeal and add Sections 29003 and 29080 of, the Government Code, to ~~amend Section 101350 of~~ *amend Sections 9002, 9074, 9078, 40100.5, 101350, and 103505 of, to add Section 103501 to, and to repeal Section 103500 of,* the Health and Safety Code, to amend Sections 1121 and 1262 of the Military and Veterans Code, to ~~amend Section 20142 of, and to add Sections 20614 and 20998 to, the Public Contract Code,~~ to amend Section 13041 of the

Public Resources Code, to amend Sections 1550, 1550.1, 1552, and 5100 of, to repeal Sections 1551, 1553, and 1554 of, and to repeal and add Section 1550.2 of, the Streets and Highways Code, and to amend ~~Section~~ Sections 376 and 40355 of the Water Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 113, as amended, Committee on Local Government. Local Government Omnibus Act of 2009.

~~(1) Existing law authorizes the board of supervisors of a county to acquire and convey property to the United States for use for any military purpose authorized by any law of the United States, as specified.~~

~~This bill would repeal these provisions:~~

~~(1) Existing law authorizes the formation of a school facilities improvement district in a county, if the board of supervisors adopts a resolution authorizing the establishment of the district.~~

~~This bill would specify that the resolution of the board of supervisors may authorize a school facilities improvement district to be operative in the county generally, or to one or more school districts or community college districts within the county.~~

~~(2) Existing law authorizes the boards of supervisors of certain counties to enter into contracts with private enterprise to provide services that require special experience, education, and training that the county possesses, as specified.~~

~~This bill would extend that authorization to the Board of Supervisors of Sonoma County.~~

~~(3) Existing law authorizes the board of supervisors of counties to authorize the purchasing agent to engage independent contractors to perform services for the county or county officers, when the aggregate cost does not exceed \$50,000 for counties with a population of less than 200,000 and \$100,000 for counties with a population of 200,000 or more, as specified.~~

~~This bill would authorize the purchasing agent to engage independent contractors to perform services for the county or county officer, when the annual aggregate cost does not exceed \$50,000 for counties with a population of less than 200,000 and \$100,000 for counties with a population of 200,000 or more.~~

~~(2)~~

(3) Existing law specifies the procedures a county must follow when adopting an annual budget.

This bill would implement the County Budget Act, which would clarify the definition of the terms administrative officer, auditor, board, and controller, and would define the terms adopted budget, budget year, final budget, and recommended budget, and would make conforming changes throughout. The bill would also repeal obsolete provisions and make other conforming changes.

~~(3)~~

(4) Existing law requires the board of supervisors of each county to establish a property tax reduction fund to receive all new revenues from sources other than property tax to reduce the property tax rate, as specified.

This bill would repeal these provisions.

~~(4)~~

(5) Existing law authorizes Sonoma County to adopt a retail transaction and use tax ordinance applicable in the incorporated and unincorporated territory of a county, as specified.

This bill would repeal this authorization.

~~(5)~~

(6) Existing law requires the Controller to proscribe, and publish uniform accounting procedures for counties that conform to generally accepted accounting principals, as specified.

This bill would instead require the Controller to proscribe and publish uniform accounting procedures for counties that conform to the Generally Accepted Accounting Principles.

~~(6)~~

(7) Existing law specifies the procedures for setting the compensation of city council members and establishes a compensation schedule based on city population.

This bill would raise the maximum compensation of city council members established in the compensation schedule and authorize city councils to raise the salary of council members under specified circumstances.

(8) *Existing law authorizes a local agency to invest a portion of its surplus funds in certificates of deposit at a commercial bank, savings bank, savings and loan association, or credit union that uses a private sector entity that assists in the placement of certificates of deposit, as specified.*

*This bill would correct an incorrect cross reference in these provisions.*

*(9) Existing law requires each city, county, or city and county investor of public funds to provide a statement of investment policy to the California Debt and Investment Advisory Commission, as specified.*

*This bill would repeal this requirement.*

*(10) Existing law authorizes the board of directors of a community services district, by resolution, to change the name of the community services district, as specified, and requires the board to file a copy of its resolution with the Secretary of State, the county clerk, the board of supervisors, and the local agency formation commission.*

*This bill would also require the board of directors to file the resolution with the State Board of Equalization and the county auditor.*

~~(7)~~

*(11) Existing law authorizes a city to form any portion of the city into a special municipal tax district for the purpose of levying upon the taxable property in the district a special tax not to exceed \$1 a year on each \$100 of assessed valuation, as specified.*

*This bill would repeal this authorization.*

~~(8)~~

*(12) The Subdivision Map Act establishes standards and procedures for subdivision of land in the state by prohibiting the selling, leasing, or financing of any parcel of real property without compliance with the map review, approval, and recordation requirements of the act.*

*The act exempts from its provisions, among other things, a lot line adjustment between 4 or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency or advisory agency.*

*This bill would require a local agency or advisory agency to act to approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act.*

*The bill would also exempt the leasing of, or the granting of an easement to, a parcel of land or any portion or portions of the land in conjunction with a biogas project, as specified.*

~~(9)~~

*(13) The Subdivision Map Act requires that final maps and parcel maps be prepared by or under the direction of a registered civil engineer or licensed land surveyor and conform to all specified provisions,*

including that the exterior boundary of the land included within the subdivision be indicated by distinctive symbols and clearly so designated.

This bill would require that the exterior boundary of the land included within the subdivision not include a parcel that has been designated as a remainder of the subdivision or has been omitted from the subdivision and would require the designated remainder or omitted parcel to be labeled as a designated remainder parcel or omitted parcel.

~~(10)~~

(14) The Subdivision Map Act requires that dedications of, or offers to dedicate interests in, real property for specified public purposes be made by a statement on the final map, signed and acknowledged by those parties having any record title interest in the real property being subdivided.

This bill would require, if a subdivider is required under the act or any other provision of law to make a dedication for specified public purposes on a final map, that the local agency specify whether the dedication is to be in fee for public purposes or an easement for public purposes. The bill would require the subdivider to include certain language in the dedication clause on the final map or any separate instrument.

~~(11)~~

(15) Existing law authorizes a county board of supervisors to levy a special sanitary tax to prevent the introduction of, and to eradicate, dangerous, infectious, or communicable diseases, and for general sanitation purposes, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

~~(12)~~

(16) Existing law authorizes a county board of supervisors to levy a special tax to provide and maintain a home for veteran soldiers, sailors, and marines who have served the United States honorably in any of its wars, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

~~(13)~~

(17) Existing law authorizes a county board of supervisors to levy a special tax to provide, maintain, or provide and maintain buildings, memorial halls, meeting places, memorial parks, or recreation centers for the use or benefit of one or more veterans' associations, as specified.

This bill would revise these provisions to conform with Article XIII A of the Constitution.

(18) *Existing law defines various terms, for purposes of the Public Cemetary Law.*

*This bill would define “interment right,” for purposes of that act, to mean the right to use or control the use of a plot, niche, or other space for the interment of human remains.*

(19) *Existing law authorizes the governing board of a public cemetery district to establish a revolving fund, in an amount not to exceed 110% of  $\frac{1}{12}$  of the district’s adopted budget for the fiscal year.*

*This bill would instead authorize a public cemetary district to establish a revolving fund, not to exceed either \$1,000, if the purpose of the revolving fund is to make change and pay small bills directly, or 110% of  $\frac{1}{12}$  of the district’s budget for the current fiscal year if the purpose of the revolving fund is to pay any authorized expenditures of the district.*

(20) *The Public Cemetary Law authorizes a public cemetary district to accept any grants, goods, money, property, revenue, or services from any federal, state, regional, or local agency or from any person for any lawful purpose of the district. Existing law also authorizes a public cemetary district to borrow money and incur indebtedness, as specified.*

*This bill would require the district to pay all money received or collected into a separate fund in the county treasury on or before the 10th day of the month following the month in which the district received or collected the money.*

(21) *Existing law requires the governing board of each air pollution control district to include one or more members who are mayors, city council members, or both, to be selected by the city selection committee or by the city in districts where the county and cities have agreed that each city shall be represented on the governing board, and one or more members who are county supervisors, to be selected by the county, as specified.*

*This bill would authorize the city selection committee or the city to also select a mayor or another city council member as an alternate to serve and vote in place of a member who is absent or disqualified from participating, as specified.*

(22) *Existing law authorizes a county recorder, in the last county of permanent residence of one or both parents of a child, to record a certificate of birth or of birth data issued by an agency of the government of the United States to authenticate a birth of a child to a United States citizen outside of the United States, as specified, and to*

*record a certificate of death or death data issued by an agency of the government of the United States to authenticate the death of a United States citizen outside the United States, as specified.*

*This bill would repeal that provision and instead require a county recorder to issue a certified copy of a foreign birth or death recorded in the office of the county recorder only as an official record of the county recorder, and not as a certified copy of a vital record, as specified. This bill would prohibit a certificate of birth or death outside of the United States from being recorded by the recorder, except as specified.*

~~(14) The Local Agency Public Contract Act authorizes a county board of supervisors, by ordinance, resolution, or board order, to authorize the county engineer, or other county officer, to order changes or additions in the work being performed under construction contracts. The extra cost for any change or addition to the work so ordered shall not exceed \$5,000 when the total amount of the original contract does not exceed \$50,000, 10% of the amount of any original contract that exceeds \$50,000, but does not exceed \$250,000, or \$25,000, plus 5 percent of the amount of the original contract cost in excess \$250,000 for contracts whose original cost exceeds \$250,000. Existing law limits the cost of any change or alteration to no more than \$150,000.~~

~~This bill would raise the limit on the cost of any change or alteration to \$210,000 and would authorize the board of supervisors to adjust that limit to reflect changes in the applicable regional consumer price index published by the Bureau of Labor Statistics of the United States Department of Labor.~~

~~This bill would authorize the same change order expenditure procedures and limits for a county waterworks district established pursuant to the County Waterworks District Law, and the Los Angeles County Flood Control District.~~

~~(15)~~

~~(23) The Resort Improvement District Law authorizes a district board to provide each director compensation of not more than \$25 and reimbursement for travel expenses actually incurred by the director not to exceed \$0.15 per mile for each meeting of the board, not to exceed two meetings in any calendar month.~~

~~This bill would instead authorize compensation of not more than \$25 for each meeting of the board, not to exceed two meetings in any calendar month, plus reimbursement for actual and necessary expenses incurred in the performance of duties pertaining to the board. The bill~~

would also require any compensation provided to comply with the guidelines for providing compensation of legislative body members for attendance at specified meetings, and would require ethics training.

~~(16)~~

(24) Existing law authorizes a county board of supervisors to form special road maintenance districts, and to estimate annually, the amount of property tax for highway purposes in each road district, and fix the amount of, and levy, the property tax in each special road district for highway purposes, not to exceed \$0.40 on every \$100 of assessable property in the district in any year.

This bill would revise these provisions to conform with Articles XIII A and XIII C of the Constitution.

~~(17)~~

(25) Under existing law, all streets, places, public ways, property, rights-of-way, tidelands, submerged lands owned by any city, open or dedicated to public use, any property for which an order for possession prior to judgment has been obtained, all tidelands or submerged lands to which the right, title, and interest of the state have been granted to any city, and all tidelands or submerged lands which have been leased by the state to any city for the construction of improvements are open public streets, places, public ways, or property or rights-of-way owned by the city, for the purposes of the Improvement Act of 1911.

This bill would include among those open public streets, places, public ways, or property or rights-of-way owned by the city, all tidelands or submerged lands for which a permit, license, or easement has been issued by the United States Army Corps of Engineers, as specified.

(26) *Existing law authorizes any public entity that supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity, to adopt and enforce a water conservation program to reduce the quantity of water used by those persons for the purpose of conserving the water supplies of the public entity, as specified. Existing law requires any adopted ordinance or resolution to be published or posted, as specified.*

*This bill would authorize the public entity to publish a summary of the proposed and adopted ordinance, resolution, or amendment to an existing ordinance or resolution, with a certified copy of the full text of the ordinance, resolution, or amendment to an existing ordinance or resolution available at the office of the governing body, or to display an advertisement of the meeting at which the governing board will consider the proposed or adopted ordinance, resolution, or amendment*



*to an existing ordinance or resolution, in a newspaper of general circulation in the county, as specified.*

(18)

(27) The California Water Storage District Law authorizes directors to receive compensation of \$100 per day, not to exceed 6 days a month, \$.10 per mile for each mile traveled from the board member's place of residence to the office of the board, and actual and necessary expenses while engaged in official business under the order of the board.

This bill would instead authorize directors to receive compensation of not more than \$100 per day, not to exceed 6 days a month, and actual and necessary expenses while engaged in official business under the order of the board.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) This act shall be known and may be cited as  
2 the Local Government Omnibus Act of 2009.

3 (b) The Legislature finds and declares that Californians want  
4 their governments to be run efficiently and economically and that  
5 public officials should avoid waste and duplication whenever  
6 possible. The Legislature further finds and declares that it desires  
7 to control its own costs by reducing the number of separate bills.  
8 Therefore, it is the intent of the Legislature in enacting this act to  
9 combine several minor, noncontroversial statutory changes relating  
10 to the common theme, purpose, and subject of local government  
11 into a single measure.

12 SEC. 1.5. Section 15303 of the Education Code is amended to  
13 read:

14 15303. (a) This chapter shall not be operative in a county or  
15 counties until the board of supervisors of the county in which the  
16 county superintendent of schools having jurisdiction over the  
17 school district or community college district in which ~~the~~ a  
18 *proposed* school facilities improvement district is located, and the  
19 board of supervisors of any county in which ~~the~~ a *proposed* school  
20 facilities improvement district is located, by resolution adopted  
21 by a majority vote of each affected board of supervisors, makes  
22 this chapter applicable in the county or counties. *The resolution*

1 *may make this chapter operative in the county generally, or to one*  
2 *or more school districts or community college districts.*

3 (b) A board of supervisors adopting a resolution pursuant to  
4 subdivision (a) shall file that resolution with the California Debt  
5 and Investment Advisory Commission established pursuant to  
6 Section 8855 of the Government Code.

7 SEC. 2. Section 7902.7 of the Government Code is amended  
8 to read:

9 7902.7. (a) The appropriations limit of a city incorporated on  
10 or after January 1, 1990, shall be determined pursuant to Section  
11 56812.

12 (b) The appropriations limit of a special district formed on or  
13 after January 1, 1988, shall be determined pursuant to Section  
14 56811 and approved by the voters at the formation election.

15 (c) The appropriations limit of a county formed on or after  
16 January 1, 1988, shall be determined pursuant to Section 23332  
17 and approved by the voters at the formation election.

18 SEC. 3. Section 23232 of the Government Code is amended  
19 to read:

20 23232. Proceedings under this article shall not be subject to  
21 the provisions of the Cortese-Knox-Hertzberg Local Government  
22 Reorganization Act of 2000, Division 3 (commencing with Section  
23 56000) of Title 5, relating to local agency formation commissions.

24 SEC. 4. Section 25210.2 of the Government Code is amended  
25 to read:

26 25210.2. Unless the context requires otherwise, as used in this  
27 chapter, the following terms shall have the following meanings:

28 (a) “Board” means the county board of supervisors acting as  
29 the governing authority of a county service area.

30 (b) “Commission” or “local agency formation commission”  
31 means a local agency formation commission that operates in the  
32 county pursuant to the Cortese-Knox-Hertzberg Local Government  
33 Reorganization Act of 2000, Division 3 (commencing with Section  
34 56000) of Title 5.

35 (c) “County service area” means a county service area formed  
36 pursuant to this chapter or any of its statutory predecessors.

37 (d) “Geologic hazard” means an actual or threatened landslide,  
38 land subsidence, soil erosion, earthquake, or any other natural or  
39 unnatural movement of land or earth.

1 (e) “Inhabited territory” means territory within which there  
2 reside 12 or more registered voters. All other territory shall be  
3 deemed “uninhabited.”

4 (f) “Landowner” or “owner of land” means all of the following:

5 (1) Any person shown as the owner of land on the county’s most  
6 recent assessment roll, except where that person is no longer the  
7 owner. Where that person is no longer the owner, the landowner  
8 or owner of land is any person entitled to be shown as the owner  
9 of land on the next assessment roll.

10 (2) Where land is subject to a recorded written agreement of  
11 sale, any person shown in the agreement as purchaser.

12 (3) Any public agency owning land, provided that a public  
13 agency which owns highways, rights-of-way, easements,  
14 waterways, or canals shall not be deemed a landowner or owner  
15 of land.

16 (g) “Latent power” means any service or facility authorized by  
17 Article 4 (commencing with Section 25213) that the local agency  
18 formation commission has determined, pursuant to subdivision (i)  
19 of Section 56425, that the county service area was not authorized  
20 to provide prior to January 1, 2009.

21 (h) “Voter” means a voter as defined by Section 359 of the  
22 Elections Code.

23 (i) “Zone” means a zone formed pursuant to Article 8  
24 (commencing with Section 25217).

25 ~~SEC. 5. Article 4 (commencing with Section 25420) of Chapter~~  
26 ~~5 of Part 2 of Division 2 of Title 3 of the Government Code is~~  
27 ~~repealed.~~

28 *SEC. 5. Section 25332 of the Government Code is amended to*  
29 *read:*

30 25332. (a) The Boards of Supervisors of Butte, Kings, Los  
31 Angeles, Merced, Orange, Riverside, San Bernardino, Santa Clara,  
32 Sonoma, and Ventura Counties may enter into contracts with  
33 private enterprise to provide services that require special  
34 experience, education, and training that the county possesses. In  
35 addition, the Boards of Supervisors of Butte, Kings, Los Angeles,  
36 Merced, Orange, Riverside, San Bernardino, Santa Clara, Sonoma,  
37 and Ventura Counties may charge a fee for these optional services  
38 and enhanced services provided to the public that require special  
39 experience, education, training, or facilities that the county  
40 possesses.

1 ~~These~~

2 (b) *These* services shall be limited to the *performance of*  
3 *maintenance and construction services*, production and  
4 dissemination of training materials, leasing of training facilities,  
5 or provision of training or consulting services resulting from the  
6 special or unique experiences derived from the magnitude,  
7 diversity, or distinctive nature of the county's services such as law  
8 enforcement, fire protection, public health care, welfare and public  
9 social programs, and public works projects, and the acquisition  
10 and management of real and personal property.

11 ~~(b)~~

12 (c) Prior to entering into a contract pursuant to this section, the  
13 board of supervisors shall find, based on evidence in record, that  
14 the provision of the special service described in the proposed  
15 contract will not adversely impact the provision of similar services  
16 by private sector companies or individuals within the county.

17 ~~(e) This section shall be operative on January 1, 1997.~~

18 SEC. 5.3. *Section 25502.3 of the Government Code is amended*  
19 *to read:*

20 25502.3. In counties having a population of less than 200,000,  
21 the board of supervisors may authorize the purchasing agent to  
22 engage independent contractors to perform services for the county  
23 or county officers, with or without the furnishing of material, when  
24 the *annual* aggregate cost does not exceed fifty thousand dollars  
25 (\$50,000), except that this amount shall be adjusted annually by  
26 any annual increase in the California Consumer Price Index as  
27 determined pursuant to Section 2212 of the Revenue and Taxation  
28 Code.

29 SEC. 5.5. *Section 25502.5 of the Government Code is amended*  
30 *to read:*

31 25502.5. (a) In counties having a population of 200,000 or  
32 more, the board of supervisors may authorize the purchasing agent  
33 to engage independent contractors to perform services for the  
34 county or county officers, with or without the furnishing of  
35 material, when the *annual* aggregate cost does not exceed one  
36 hundred thousand dollars (\$100,000).

37 (b) The board of supervisors may establish rules and regulations  
38 to effectuate the purposes of this section.

39 SEC. 6. *Section 29000 of the Government Code is amended*  
40 *to read:*

1     29000. This chapter shall be known, and may be cited, as the  
2 County Budget Act. Unless the context otherwise requires or  
3 provides, the general provisions set forth in this article, and the  
4 requirements concerning county budget matters prescribed by the  
5 Controller under Section 30200, govern the construction of this  
6 chapter.

7     SEC. 7. Section 29001 of the Government Code is amended  
8 to read:

9     29001. Except as otherwise defined in this section, the meaning  
10 of terms used in this chapter shall be as defined in the Accounting  
11 Standards and Procedures for Counties prescribed by the Controller  
12 pursuant to Section 30200.

13     As used in this chapter:

14     (a) “Administrative officer,” means the chief administrative  
15 officer, county administrator, county executive, county manager,  
16 or other officials employed in the several counties under various  
17 titles whose duties and responsibilities are comparable to the  
18 officials named herein.

19     (b) “Adopted budget” means the budget document formally  
20 approved by the board of supervisors after the required public  
21 hearings and deliberations on the recommended budget.

22     (c) “Auditor” means the county auditor or that officer whose  
23 responsibilities include those designated in Chapter 4 (commencing  
24 with Section 26900) of Division 2.

25     (d) “Board” means the board of supervisors of the county, or  
26 the same body acting as the governing board of a special district  
27 whose affairs and finances are under its supervision and control.

28     (e) “Budget year” means the fiscal year (July 1 through June  
29 30) for which the budget is being prepared.

30     (f) “Controller” means the State Controller.

31     (g) “Final budget” means the adopted budget adjusted by all  
32 revisions throughout the fiscal year as of June 30.

33     (h) “Recommended budget” means the budget document  
34 recommended to the board of supervisors by the designated county  
35 official.

36     SEC. 8. Section 29002 of the Government Code is amended  
37 to read:

38     29002. This chapter shall apply to ~~counties and to counties,~~  
39 dependent special districts, and other agencies whose affairs and  
40 finances are under the supervision and control of the board.

1 SEC. 9. Section 29003 of the Government Code is repealed.

2 SEC. 10. Section 29003 is added to the Government Code, to  
3 read:

4 29003. Except as otherwise specifically provided by law, a  
5 majority vote of the total membership of the board is required for  
6 the board to take action pursuant to this chapter.

7 SEC. 11. Section 29004 of the Government Code is repealed.

8 SEC. 12. Section 29005 of the Government Code is amended  
9 to read:

10 29005. (a) The Controller shall promulgate such rules,  
11 regulations, and classifications as are deemed necessary and  
12 commensurate with the accounting procedures for counties  
13 prescribed pursuant to Section 30200 to secure standards of  
14 uniformity among the various counties and to carry out the  
15 provisions of this chapter. The rules, regulations, and classifications  
16 shall be adopted in accordance with the provisions of Section  
17 30200.

18 (b) The Controller shall prescribe the forms required to be used  
19 in presenting the required information in the budget document  
20 after consultation with the Committee on County Accounting  
21 Procedures, which committee is provided for in Section 30201.  
22 Any county may add to the information required, or display it in  
23 more detail, ~~providing~~ *provided* that the financial information and  
24 the classifications or items required to be included in the budget  
25 are clearly and completely set forth. Any change proposed by a  
26 county in the arrangement of the information required on the forms  
27 shall be subject to review and approval by the Controller.

28 SEC. 13. Section 29006 of the Government Code is amended  
29 to read:

30 29006. For the adopted budget, the various forms, as prescribed  
31 by the Controller pursuant to Section 29005, shall provide for the  
32 presentation of data and information to include, at a minimum,  
33 estimated or actual amounts of the following items by fund:

34 (a) Fund balances.

35 (1) Reserved.

36 (2) Unreserved.

37 (A) Designated.

38 (B) Undesignated.

1 (b) Additional financing sources shall be classified by source  
2 in accordance with the accounting procedures for counties as  
3 prescribed by the Controller pursuant to Section 30200.

4 For comparative purposes the amounts of financing sources shall  
5 be shown as follows:

6 (1) On an actual basis for the fiscal year two years prior to the  
7 budget year.

8 (2) On an actual basis, except for those sources that can only  
9 be estimated, for the fiscal year prior to the budget year.

10 (3) On an estimated basis for the budget year, as submitted by  
11 those officials or persons responsible, or as recommended by the  
12 administrative officer or auditor, as appropriate.

13 (4) On an estimated basis for the budget year, as approved, or  
14 as adopted, by the board.

15 (c) Financing uses for each budget unit, classified by the fund  
16 or funds from which financed, by the objects of expenditure, other  
17 financing uses, intrafund transfers, and transfers-out in accordance  
18 with the accounting procedures for counties and by such further  
19 classifications or requirements pertaining to county budget matters  
20 as prescribed by the Controller pursuant to Section 30200.

21 For comparative purposes the amounts of financing uses shall  
22 be shown as follows:

23 (1) On an actual basis for the fiscal year two years prior to the  
24 budget year.

25 (2) On an actual basis, except for those uses that can only be  
26 estimated, for the fiscal year prior to the budget year.

27 (3) On an estimated basis for the budget year, as submitted by  
28 those officials or persons responsible, or as recommended by the  
29 administrative officer ~~or other officer designated by the board~~  
30 *auditor, as appropriate.*

31 (4) On an estimated basis for the budget year, as approved, or  
32 as adopted, by the board.

33 (d) Appropriations for contingencies.

34 (e) Provisions for reserves and designations.

35 (f) The appropriations limit and the total annual appropriations  
36 subject to limitation as determined pursuant to Division 9  
37 (commencing with Section 7900) of Title 1.

38 SEC. 14. Section 29007 of the Government Code is amended  
39 to read:

1 29007. There shall be a schedule in or supporting the adopted  
2 budget document or separate ordinance or resolution, setting forth  
3 for each budget unit the following data for each position  
4 classification:

5 (a) Salary rate or range, as applicable.

6 (b) Total allocated positions approved by the board.

7 SEC. 15. Section 29008 of the Government Code is amended  
8 to read:

9 29008. At a minimum, within the object of capital assets, the  
10 budget amounts for:

11 (a) Land shall be reported in total amounts, except when  
12 included as a component of a project.

13 (b) Structures and improvements shall be reported separately  
14 for each project, except that minor improvement projects may be  
15 reported in totals.

16 (c) Equipment shall be reported in total amounts by budget unit.

17 (d) Infrastructure shall be reported in total amounts by budget  
18 unit.

19 SEC. 16. Section 29009 of the Government Code is amended  
20 to read:

21 29009. In the recommended, adopted, and final budgets the  
22 funding sources shall equal the financing uses.

23 SEC. 17. The heading of Article 2 (commencing with Section  
24 29040) of Chapter 1 of Division 3 of Title 3 of the Government  
25 Code is amended to read:

26  
27 Article 2. Budget Request  
28

29 SEC. 18. Section 29040 of the Government Code is amended  
30 to read:

31 29040. On or before June 10 of each year, each official in  
32 charge of any budget unit shall provide the administrative officer  
33 or the auditor, as the board directs, an itemized request detailing  
34 the estimate of financing sources, financing uses, and any other  
35 matter required by the board.

36 SEC. 19. Section 29042 of the Government Code is amended  
37 to read:

38 29042. The requests shall be submitted as prescribed by the  
39 administrative officer or the auditor, as designated by the board.



1 SEC. 20. Section 29043 of the Government Code is amended  
2 to read:

3 29043. The auditor shall provide the estimates for bonded debt  
4 service requirements. The auditor shall also provide or furnish to  
5 the responsible authority, as applicable, the estimates for bonded  
6 debt service requirements of:

7 (a) School districts.

8 (b) Any special district, the records for which are maintained  
9 in the auditor's office as required by law.

10 SEC. 21. Section 29044 of the Government Code is amended  
11 to read:

12 29044. The auditor shall provide to the administrative officer  
13 or such other official as the board directs, any financial statements  
14 or data or recommendations, if any, for any changes to the  
15 estimated financing sources referenced in Section 29040.

16 SEC. 22. Section 29045 of the Government Code is amended  
17 to read:

18 29045. In the absence or disability, or failure of any official  
19 or person required to submit budget requests, they shall be  
20 submitted by the acting official in charge of the budget unit or  
21 shall be prepared by the administrative officer or the auditor as  
22 designated by the board.

23 SEC. 23. The heading of Article 3 (commencing with Section  
24 29060) of Chapter 1 of Division 3 of Title 3 of the Government  
25 Code is amended to read:

26  
27 Article 3. Recommended Budget  
28

29 SEC. 24. Section 29060 of the Government Code is amended  
30 to read:

31 29060. The administrative officer or auditor as designated by  
32 the board, shall compile the budget requests.

33 SEC. 25. Section 29061 of the Government Code is amended  
34 to read:

35 29061. The board shall designate either the administrative  
36 officer or auditor to review the budget requests and prepare a  
37 recommended budget. Any differences may be described in the  
38 written recommendations or comments, or both.

39 SEC. 26. Section 29062 of the Government Code is amended  
40 to read:

1 29062. The recommended budget shall be submitted to the  
2 board by the administrative officer or auditor, as designated by  
3 the board, on or before June 30 of each year, as the board directs.

4 SEC. 27. Section 29063 of the Government Code is amended  
5 to read:

6 29063. Upon receipt of the recommended budget, the board  
7 shall consider it and, on or before June 30 of each year, at such  
8 time as it directs, shall make any revisions, reductions, or additions.  
9 Any official or person whose budget requests have been revised  
10 shall be given the opportunity to be heard thereon before the board  
11 during or prior to the hearings required by Section 29080.

12 SEC. 28. Section 29064 of the Government Code is amended  
13 to read:

14 29064. On or before June 30 of each year the board, by formal  
15 action, shall approve the recommended budget, including the  
16 revisions it deems necessary for the purpose of having authority  
17 to spend until the budget is adopted.

18 SEC. 29. Section 29065 of the Government Code is amended  
19 to read:

20 29065. On or before September 8 of each year, as the board  
21 directs, the recommended budget shall be made available to the  
22 public.

23 SEC. 30. Section 29065.5 of the Government Code is repealed.

24 SEC. 31. Section 29066 of the Government Code is repealed.

25 SEC. 32. The heading of Article 4 (commencing with Section  
26 29080) of Chapter 1 of Division 3 of Title 3 of the Government  
27 Code is amended to read:

28  
29 Article 4. Adopted Budget  
30

31 SEC. 33. Section 29080 of the Government Code is repealed.

32 SEC. 34. Section 29080 is added to the Government Code, to  
33 read:

34 29080. On or before September 8 of each year, the board shall  
35 publish a notice in a newspaper of general circulation throughout  
36 the county stating that:

37 (a) The recommended budget documents are available to  
38 members of the public.

39 (b) On the date stated in the notice, not fewer than 10 days after  
40 the recommended budget documents are available, and at a time

1 and place also stated in the notice, the board will conduct a public  
2 hearing on the recommended budget.

3 (c) Any member of the public may appear at the hearing and be  
4 heard regarding any item in the recommended budget or for the  
5 inclusion of additional items.

6 (d) All proposals for revisions shall be submitted in writing to  
7 the clerk of the board of supervisors before the close of the public  
8 hearing.

9 SEC. 35. Section 29081 of the Government Code is amended  
10 to read:

11 29081. The hearing may be continued from day to day until  
12 concluded, but not to exceed a total of 14 calendar days.

13 SEC. 36. Section 29082 of the Government Code is amended  
14 to read:

15 29082. (a) At the hearing, the board of supervisors shall hear  
16 any official who wishes to be heard regarding the recommended  
17 budget for his or her budget unit.

18 (b) At the time of the hearing, the board of supervisors may call  
19 in the official or person in charge of any budget unit concerning  
20 any matter relating to his or her budget unit. The board of  
21 supervisors may also call in the official or person in charge of a  
22 budget unit if any member of the public files with the clerk of the  
23 board a written request to question any matter relating to that  
24 budget unit.

25 SEC. 37. Section 29083 of the Government Code is amended  
26 to read:

27 29083. (a) The auditor, or a deputy designated by the auditor,  
28 shall attend the public hearing on the recommended budget, and  
29 shall furnish the board with any financial statements and data it  
30 requires.

31 (b) It shall be the responsibility of the administrative officer or  
32 auditor to revise the recommended budget to reflect the actions of  
33 the board pertaining thereto in developing the adopted budget  
34 document.

35 SEC. 38. Section 29084 of the Government Code is amended  
36 to read:

37 29084. The budget may contain an appropriation or  
38 appropriations for contingencies in such amounts as the board  
39 deems sufficient.

1 SEC. 39. Section 29085 of the Government Code is amended  
2 to read:

3 29085. The budget for each fund may contain reserves,  
4 including a general reserve, and designations in such amounts as  
5 the board deems sufficient.

6 SEC. 40. Section 29086 of the Government Code is amended  
7 to read:

8 29086. Except in cases of a legally declared emergency, as  
9 defined in Section 29127, the general reserve may only be  
10 established, canceled, increased, or decreased at the time of  
11 adopting the budget as provided in Section 29088. The general  
12 reserve may be increased any time during the fiscal year by a  
13 four-fifths vote of the board.

14 SEC. 41. Section 29088 of the Government Code is amended  
15 to read:

16 29088. After the conclusion of the hearing, and not later than  
17 October 2 of each year, and after making any revisions of,  
18 deductions from, or increases or additions to, the recommended  
19 budget it deems advisable during or after the public hearing, the  
20 board shall by resolution adopt the budget as finally determined.  
21 Increases or additions shall not be made after the public hearing,  
22 unless the items were proposed in writing and filed with the clerk  
23 of the board before the close of the public hearing or unless  
24 approved by the board by four-fifths vote.

25 SEC. 42. Section 29088.1 of the Government Code is repealed.

26 SEC. 43. Section 29089 of the Government Code is amended  
27 to read:

28 29089. The resolution of adoption of the budget of the county,  
29 each ~~special dependent~~ *dependent special* district, and each other  
30 agency as defined in Section 29002, shall specify:

31 (a) Appropriations by objects of expenditure within each budget  
32 unit, except for capital assets which are appropriated at the  
33 subobject level pursuant to Section 29008.

34 (b) Other financing uses by budget unit.

35 (c) Intrafund transfers by budget unit.

36 (d) Transfers-out by fund.

37 (e) Appropriations for contingencies, by fund.

38 (f) Provisions for reserves and designations, by fund and  
39 purpose.

40 (g) The means of financing the budget requirements.

1 SEC. 44. Section 29090 of the Government Code is amended  
2 to read:

3 29090. The adoption of the budget may be accomplished by a  
4 resolution in which the adoption is effectuated by reference to the  
5 financing uses in the budget as finally determined, provided that  
6 the minimum requirements set forth in Section 29089 are met in  
7 the budget document. If adopted by reference, the budget shall  
8 have the same effect and be subject to the same provisions of law  
9 as if the resolution of adoption had been accomplished by specific  
10 designation.

11 SEC. 45. Section 29091 of the Government Code is repealed.

12 SEC. 46. Section 29092 of the Government Code is amended  
13 to read:

14 29092. The board may set forth appropriations in greater detail  
15 than required in Section 29089 and may authorize any additional  
16 controls for the administration of the budget as it deems necessary.  
17 The board may designate a county official to exercise these  
18 administrative controls.

19 SEC. 47. Section 29093 of the Government Code is amended  
20 to read:

21 29093. (a) A copy of the adopted budget in the format  
22 prescribed by the Controller shall be filed by the auditor in the  
23 office of the clerk of the board and the office of the Controller not  
24 later than December 1 of each year.

25 (b) (1) If the auditor, after receipt of written notice from the  
26 Controller, fails to transmit a copy of the adopted budget within  
27 20 days, the county shall forfeit to the state one thousand dollars  
28 (\$1,000) to be recovered in an action brought by the Attorney  
29 General, in the name of the Controller.

30 (2) Upon a satisfactory showing of good cause, the Controller  
31 may waive the penalty for late filing provided in paragraph (1).

32 SEC. 48. Section 29100 of the Government Code is amended  
33 to read:

34 29100. (a) On or before ~~the first business day of September~~  
35 *October 3* of each year, the board shall adopt by resolution the  
36 rates of taxes on the secured roll, not to exceed the 1-percent  
37 limitation specified in Article XIII A of the Constitution and  
38 Sections 93 and 100 of the Revenue and Taxation Code. For  
39 voter-approved indebtedness, the board shall adopt the rates on  
40 the secured roll by determining the percentage of full value of

1 property on the secured roll legally subject to support the annual  
2 debt requirement. Each rate shall be such as will produce the  
3 amount determined as necessary to be raised by taxation on the  
4 secured roll after due allowance for delinquency, anticipated  
5 changes to the roll, disputed tax revenues anticipated to be  
6 impounded pursuant to Section 26906.1, amounts subject to ~~Part~~  
7 *the Community Redevelopment Law, (Part 1* (commencing with  
8 Section 33000) of Division 24 of the Health and Safety ~~Code~~  
9 *Code*), and other available financing sources. The board may adopt  
10 a rate for voter-approved indebtedness as will produce an amount  
11 determined as appropriate for necessary reserves.

12 (b) For purposes of this section, “an amount appropriate for  
13 necessary reserves” shall be limited to an amount sufficient to  
14 accommodate the county’s anticipated annual cash-flow needs for  
15 servicing the county’s voter-approved debt. The reserve may  
16 service only the debt for which the extraordinary rate is levied.  
17 All interest earned on the amount deposited in the necessary reserve  
18 shall accrue to the necessary reserve.

19 ~~(e) The board may, by resolution, extend on a permanent basis~~  
20 ~~or for a limited period the date specified by this section from the~~  
21 ~~first business day of each September to each October 3.~~

22 SEC. 49. Section 29100.6 of the Government Code is amended  
23 to read:

24 29100.6. ~~(a) On or before November~~ *December* 1 of each year,  
25 each county auditor shall file with the Controller in such form as  
26 the Controller directs, a statement of the amounts of exempt values  
27 granted for the homeowners’ property tax exemption under  
28 subdivision (k) of Section 3 and Section 25 of Article XIII of the  
29 Constitution for the county, each city and school district or portion  
30 thereof within the county, each special district or subdivision or  
31 zone thereof or portion thereof within the county, for which a tax  
32 levy is carried on the county assessment roll. The auditor shall  
33 therein compute and show the total amount of ad valorem tax loss  
34 to the county and the cities and districts resulting from the  
35 exemption and the statement shall claim such amount against the  
36 state for payment of reimbursement.

37 ~~(b) The board may, by resolution, extend on a permanent basis~~  
38 ~~or for a limited period the date specified by this section from~~  
39 ~~November 1 to December 1.~~

1 SEC. 50. Section 29109 of the Government Code is amended  
2 to read:

3 29109. (a) On or before ~~November~~ *December* 1 of each year,  
4 the auditor shall forward to the Controller, in the format prescribed  
5 by the Controller, a statement of the rates of taxation, the assessed  
6 valuation as shown on the current equalized assessment roll, *and*  
7 the amount of taxes to be levied and allocated pursuant to the  
8 Revenue and Taxation Code.

9 (b) (1) If the auditor, after receipt of written notice from the  
10 Controller fails to transmit the statements within 20 days, the  
11 county shall forfeit to the state, one thousand dollars (\$1,000) to  
12 be recovered in an action brought by the Attorney General, in the  
13 name of the Controller.

14 (2) Upon a satisfactory showing of good cause, the Controller  
15 may waive the penalty for late filing provided in paragraph (1).

16 ~~(c) The board may, by resolution, extend on a permanent basis~~  
17 ~~or for a limited period the date specified in this section from~~  
18 ~~November 1 to December 1.~~

19 SEC. 51. Section 29120 of the Government Code is amended  
20 to read:

21 29120. Except as otherwise provided by law, the board and  
22 every other county or dependent special district official and person  
23 shall be limited in the incurring or paying of obligations to the  
24 amounts of the appropriations allowed for each budget unit as  
25 originally adopted or as thereafter revised by addition, cancellation,  
26 or transfer.

27 SEC. 52. Section 29121 of the Government Code is amended  
28 to read:

29 29121. Except as otherwise provided by law, obligations  
30 incurred or paid in excess of the amounts authorized in the budget  
31 unit appropriations are not a liability of the county or dependent  
32 special district, but a personal liability of the official authorizing  
33 the obligation.

34 SEC. 53. Section 29122 of the Government Code is amended  
35 to read:

36 29122. The board shall not approve a claim and the auditor  
37 shall not issue payment for any obligation in excess of that  
38 authorized in the budget unit appropriation, except upon an order  
39 of a court, for an emergency, or as otherwise provided by law.

1 SEC. 54. Section 29124 of the Government Code is amended  
2 to read:

3 29124. (a) If at the beginning of any fiscal year, the budget  
4 has not been adopted, the auditor shall approve payments for the  
5 support of the various budget units in accordance with the  
6 following authorizations:

7 (1) Except as otherwise provided in subdivision (b), the amounts  
8 in the recommended budget, except capital assets, transfer-out,  
9 and new permanent employee positions, are deemed appropriated  
10 until the adoption of the budget.

11 (2) Capital assets, transfers-out, and new permanent employee  
12 positions are deemed appropriated until the adoption of the budget  
13 if specifically approved by the board. For the purposes of this  
14 subdivision, the words “new permanent employee positions” do  
15 not include any employee positions created in lieu of an employee  
16 position which is abolished.

17 (3) If the recommended budget has not been approved by the  
18 board because of an emergency as described in subdivision (a) of  
19 Section 29127, the amounts deemed appropriated shall be based  
20 on the final budget of the preceding year, excluding assets and  
21 transfers-out unless specifically approved by the board.

22 (b) Notwithstanding any other provision of this section, prior  
23 to the adoption of the adopted budget, the board of supervisors  
24 may impose expenditure limitations that are more restrictive than  
25 those contained in this section.

26 SEC. 55. Section 29125 of the Government Code is amended  
27 to read:

28 29125. (a) Transfers and revisions to the adopted  
29 appropriations may be made by an action formally adopted by the  
30 board at a regular or special meeting as follows:

31 (1) If between funds, by a four-fifths vote.

32 (2) If transfers from appropriation for contingencies, by a  
33 four-fifths vote.

34 (3) If between budget units within a fund if overall  
35 appropriations are not increased, by a majority vote.

36 (b) The board may designate the administrative officer or  
37 auditor to approve transfers and revisions of appropriations within  
38 a budget unit if the overall appropriations of the budget unit are  
39 not increased.



1 SEC. 56. Section 29126.1 of the Government Code is amended  
2 to read:

3 29126.1. At any regular or special meeting the board may  
4 cancel any unused appropriation in whole or in part upon  
5 determining that the source of funding of the appropriation will  
6 be unrealized in whole or part. An offsetting reduction shall be  
7 made to the corresponding estimated revenue.

8 SEC. 57. Section 29126.2 of the Government Code is amended  
9 to read:

10 29126.2. The auditor may review and issue reports and make  
11 recommendations regarding estimated financing sources, or actual  
12 financing sources, or both, and the status of appropriations. The  
13 auditor shall submit to the board, and any other official the board  
14 may designate, a statement showing this information with respect  
15 to the condition of each separate budget appropriation and to the  
16 condition of estimated financing sources, as the board requires.

17 SEC. 58. Section 29127 of the Government Code is amended  
18 to read:

19 29127. After adopting a resolution stating the facts constituting  
20 an emergency by a four-fifths vote of the board at any regular or  
21 special meeting, the board may appropriate and make the  
22 expenditure necessary to meet an emergency in any of the  
23 following cases:

24 (a) Upon the happening of an emergency caused by war, fire,  
25 failure or the imminent failure of a water system or supply, flood,  
26 explosion, storm, earthquake, epidemic, riot, or insurrection.

27 (b) For the immediate preservation of order or of public health.

28 (c) For the restoration to a condition of usefulness of any public  
29 property, the usefulness of which has been destroyed by accident.

30 (d) For the relief of a stricken community overtaken by calamity.

31 (e) For the settlement of approved claims for personal injuries  
32 or property damages, exclusive of claims arising from the operation  
33 of any public utilities owned by the county.

34 (f) To meet mandatory expenditures required by law.

35 SEC. 59. Section 29128 of the Government Code is amended  
36 to read:

37 29128. All emergency expenditures shall be paid from any  
38 money in the county treasury in any fund from which the  
39 expenditure may properly be paid.

40 SEC. 60. Section 29129 of the Government Code is repealed.

1 SEC. 61. Section 29130 of the Government Code is amended  
2 to read:

3 29130. At any ~~regularly scheduled or properly noticed~~ *regular*  
4 *or* special meeting, the board by a four-fifths vote may make  
5 available for appropriation any of the following:

6 (a) Designations and reserves excluding the general reserve,  
7 balance sheet reserves, and reserve for encumbrances.

8 (b) Amounts which are either in excess of anticipated amounts  
9 or not specifically set forth in the budget derived from any actual  
10 or anticipated increases in financing sources.

11 SEC. 62. Section 29140 of the Government Code is repealed.

12 SEC. 63. Section 29141 of the Government Code is amended  
13 to read:

14 29141. The adopted budget shall include a schedule showing  
15 the managerial budget of each service activity financed by a  
16 proprietary fund established pursuant to Sections 25260 and 25261.  
17 The schedule shall set forth expected operations of the activity in  
18 such detail for revenues, expenses, and reserves as will adequately  
19 display the nature and the approximate size of its operations.  
20 Comparative data as prescribed in Section ~~29021~~ 29006 shall be  
21 provided.

22 SEC. 64. Section 29142 of the Government Code is amended  
23 to read:

24 29142. Notwithstanding any other provision of law, when taxes  
25 or assessments are collected by the county for any special district,  
26 or zone or improvement district thereof, but excluding a school  
27 district, the board of supervisors may provide for a collection fee  
28 for such services which when collected shall belong to the county  
29 and shall be deposited to the credit of the general fund, and shall  
30 cover the expense and compensation of such officials of the county  
31 in the collection of such taxes and of the interest or penalties  
32 thereon, subject to the following:

33 (a) For taxes covering debt service requirements on any bond  
34 or bonds authorized and issued by any such special district, the  
35 tax rate fixed to raise such amounts may be fixed by the board of  
36 supervisors to include also a percentage of such amounts up to  
37 one-fourth of 1 percent thereof.

38 (b) For taxes covering all purposes of such special districts,  
39 other than debt service requirements on bonds, the amount of the  
40 collection fees, if any, to be charged by the county shall be fixed

1 by agreement between the board of supervisors and the governing  
2 board of such special district and shall not exceed one-fourth of 1  
3 percent of all money collected.

4 SEC. 65. Article 10 (commencing with Section 29520) of  
5 Chapter 2 of Division 3 of Title 3 of the Government Code is  
6 repealed.

7 SEC. 66. Article 13 (commencing with Section 29560) of  
8 Chapter 2 of Division 3 of Title 3 of the Government Code is  
9 repealed.

10 SEC. 67. Section 30200 of the Government Code is amended  
11 to read:

12 30200. Under this division, the Controller shall prescribe for  
13 counties uniform accounting procedures conforming to the  
14 Generally Accepted Accounting Principles (GAAP). The  
15 procedures shall be adopted under the provisions of Chapter 3.5  
16 (commencing with Section 11340) of Part 1 of Division 3 of Title  
17 2 and shall be published in the California Code of Regulations  
18 either in their entirety or by reference. The Controller shall  
19 prescribe such procedures after consultation with and approval by  
20 the Committee on County Accounting Procedures. Approval of  
21 such procedures shall be by a majority vote of the members of the  
22 committee. The vote may be conducted by mail at the discretion  
23 of the chairperson of the committee, provided however, that should  
24 one or more members of the committee request a meeting for the  
25 purpose of voting, the chairperson shall call a meeting of the  
26 committee as provided in Section 30201.

27 SEC. 68. Section 36516 of the Government Code is amended  
28 to read:

29 36516. (a) (1) A city council may enact an ordinance  
30 providing that each member of the city council shall receive a  
31 salary based on the population of the city as set forth in paragraph  
32 (2).

33 (2) The salaries approved by ordinance under paragraph (1)  
34 shall be as follows:

35 (A) In cities up to and including 35,000 in population, up to and  
36 including three hundred dollars (\$300) per month.

37 (B) In cities over 35,000 up to and including 50,000 in  
38 population, up to and including four hundred dollars (\$400) per  
39 month.

1 (C) In cities over 50,000 up to and including 75,000 in  
2 population, up to and including five hundred dollars (\$500) per  
3 month.

4 (D) In cities over 75,000 up to and including 150,000 in  
5 population, up to and including six hundred dollars (\$600) per  
6 month.

7 (E) In cities over 150,000 up to and including 250,000 in  
8 population, up to and including eight hundred dollars (\$800) per  
9 month.

10 (F) In cities over 250,000 population, up to and including one  
11 thousand dollars (\$1,000) per month.

12 (3) For the purposes of this subdivision, the population of a city  
13 shall be determined by the last preceding federal census, or a  
14 subsequent census, or estimate validated by the Department of  
15 Finance.

16 (4) The salary of council members may be increased beyond  
17 the amount provided in this subdivision by an ordinance or by an  
18 amendment to an ordinance, but the amount of the increase shall  
19 not exceed an amount equal to 5 percent for each calendar year  
20 from the operative date of the last adjustment of the salary in effect  
21 when the ordinance or amendment is enacted. No ordinance shall  
22 be enacted or amended to provide automatic future increases in  
23 salary.

24 (b) Notwithstanding subdivision (a), at any municipal election,  
25 the question of whether city council members shall receive a salary  
26 for services, and the amount of that salary, may be submitted to  
27 the electors. If a majority of the electors voting at the election favor  
28 it, all of the council members shall receive the salary specified in  
29 the election call. The salary of council members may be increased  
30 beyond the amount provided in this section or decreased below  
31 the amount in the same manner.

32 (c) Unless specifically authorized by another statute, a city  
33 council may not enact an ordinance providing for ~~a salary~~  
34 *compensation* to city council members in excess of that authorized  
35 by the procedures described in subdivisions (a) and (b). For the  
36 purposes of this section, ~~a salary~~ *compensation* includes payment  
37 ~~or compensation~~ for service by a city council member on a  
38 commission, committee, board, authority, or similar body on which  
39 the city council member serves. If the other statute that authorizes  
40 the ~~salary~~ *compensation* does not specify the amount of ~~salary~~

1 *compensation*, the maximum amount shall be one hundred fifty  
2 dollars (\$150) per month for each commission, committee, board,  
3 authority, or similar body.

4 (d) Any amounts paid by a city for retirement, health and  
5 welfare, and federal social security benefits shall not be included  
6 for purposes of determining salary under this section, provided  
7 that the same benefits are available and paid by the city for its  
8 employees.

9 (e) Any amounts paid by a city to reimburse a council member  
10 for actual and necessary expenses pursuant to Section 36514.5  
11 shall not be included for purposes of determining salary pursuant  
12 to this section.

13 (f) A city council member may waive any or all of the  
14 compensation permitted by this section.

15 *SEC. 68.3. Section 53601.8 of the Government Code is*  
16 *amended to read:*

17 53601.8. Notwithstanding Section 53601 or any other provision  
18 of this code, a local agency, at its discretion, may invest a portion  
19 of its surplus funds in certificates of deposit at a commercial bank,  
20 savings bank, savings and loan association, or credit union that  
21 uses a private sector entity that assists in the placement of  
22 certificates of deposit, provided that the purchases of certificates  
23 of deposit pursuant to this section, Section 53635.8, and subdivision  
24 ~~(h)~~ (i) of Section 53601 do not, in total, exceed 30 percent of the  
25 agency's funds that may be invested for this purpose. The following  
26 conditions shall apply:

27 (a) The local agency shall choose a nationally or state chartered  
28 commercial bank, savings bank, savings and loan association, or  
29 credit union in this state to invest the funds, which shall be known  
30 as the "selected" depository institution.

31 (b) The selected depository institution may submit the funds to  
32 a private sector entity that assists in the placement of certificates  
33 of deposit with one or more commercial banks, savings banks,  
34 savings and loan associations, or credit unions that are located in  
35 the United States, for the local agency's account.

36 (c) The full amount of the principal and the interest that may  
37 be accrued during the maximum term of each certificate of deposit  
38 shall at all times be insured by the Federal Deposit Insurance  
39 Corporation or the National Credit Union Administration.

1 (d) The selected depository institution shall serve as a custodian  
2 for each certificate of deposit that is issued with the placement  
3 service for the local agency's account.

4 (e) At the same time the local agency's funds are deposited and  
5 the certificates of deposit are issued, the selected depository  
6 institution shall receive an amount of deposits from other  
7 commercial banks, savings banks, savings and loan associations,  
8 or credit unions that, in total, are equal to, or greater than, the full  
9 amount of the principal that the local agency initially deposited  
10 through the selected depository institution for investment.

11 (f) A local agency may not invest surplus funds with a selected  
12 depository institution for placement as certificates of deposit  
13 pursuant to this section on or after January 1, 2012. A local  
14 agency's surplus funds, invested pursuant to this section before  
15 January 1, 2012, may remain invested in certificates of deposit  
16 issued through a private sector entity for the full term of each  
17 certificate of deposit.

18 (g) Notwithstanding subdivisions (a) to (f), inclusive, no credit  
19 union may act as a selected depository institution under this section  
20 or Section 53635.8 unless both of the following conditions are  
21 satisfied:

22 (1) The credit union offers federal depository insurance through  
23 the National Credit Union Administration.

24 (2) The credit union is in possession of written guidance or other  
25 written communication from the National Credit Union  
26 Administration authorizing participation of federally-insured credit  
27 unions in one or more certificate of deposit placement services  
28 and affirming that the moneys held by those credit unions while  
29 participating in a deposit placement service will at all times be  
30 insured by the federal government.

31 (h) It is the intent of the Legislature that nothing in this section  
32 shall restrict competition among private sector entities that provide  
33 placement services pursuant to this section.

34 *SEC. 68.5. Section 53646 of the Government Code is amended*  
35 *to read:*

36 53646. (a) (1) In the case of county government, the treasurer  
37 may annually render to the board of supervisors and any oversight  
38 committee a statement of investment policy, which the board shall  
39 review and approve at a public meeting. Any change in the policy

1 shall also be reviewed and approved by the board at a public  
2 meeting.

3 (2) In the case of any other local agency, the treasurer or chief  
4 fiscal officer of the local agency may annually render to the  
5 legislative body of that local agency and any oversight committee  
6 of that local agency a statement of investment policy, which the  
7 legislative body of the local agency shall consider at a public  
8 meeting. Any change in the policy shall also be considered by the  
9 legislative body of the local agency at a public meeting.

10 (b) (1) The treasurer or chief fiscal officer may render a  
11 quarterly report to the chief executive officer, the internal auditor,  
12 and the legislative body of the local agency. The quarterly report  
13 shall be so submitted within 30 days following the end of the  
14 quarter covered by the report. Except as provided in subdivisions  
15 (e) and (f), this report shall include the type of investment, issuer,  
16 date of maturity, par and dollar amount invested on all securities,  
17 investments and moneys held by the local agency, and shall  
18 additionally include a description of any of the local agency's  
19 funds, investments, or programs, that are under the management  
20 of contracted parties, including lending programs. With respect to  
21 all securities held by the local agency, and under management of  
22 any outside party that is not also a local agency or the State of  
23 California Local Agency Investment Fund, the report shall also  
24 include a current market value as of the date of the report, and  
25 shall include the source of this same valuation.

26 (2) The quarterly report shall state compliance of the portfolio  
27 to the statement of investment policy, or manner in which the  
28 portfolio is not in compliance.

29 (3) The quarterly report shall include a statement denoting the  
30 ability of the local agency to meet its pool's expenditure  
31 requirements for the next six months, or provide an explanation  
32 as to why sufficient money shall, or may, not be available.

33 (4) In the quarterly report, a subsidiary ledger of investments  
34 may be used in accordance with accepted accounting practices.

35 (c) Pursuant to subdivision (b), the treasurer or chief fiscal  
36 officer shall report whatever additional information or data may  
37 be required by the legislative body of the local agency.

38 (d) The legislative body of a local agency may elect to require  
39 the report specified in subdivision (b) to be made on a monthly  
40 basis instead of quarterly.

(e) For local agency investments that have been placed in the Local Agency Investment Fund, created by Section 16429.1, in National Credit Union Share Insurance Fund-insured accounts in a credit union, in accounts insured or guaranteed pursuant to Section 14858 of the Financial Code, or in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, in a county investment pool, or any combination of these, the treasurer or chief fiscal officer may supply to the governing body, chief executive officer, and the auditor of the local agency the most recent statement or statements received by the local agency from these institutions in lieu of the information required by paragraph (1) of subdivision (b) regarding investments in these institutions.

(f) The treasurer or chief fiscal officer shall not be required to render a quarterly report, as required by subdivision (b), to a legislative body or any oversight committee of a school district or county office of education for securities, investments, or moneys held by the school district or county office of education in individual accounts that are less than twenty-five thousand dollars (\$25,000).

~~(g) The city, county, or city and county investor of any public funds, no later than 60 days after the close of the second quarter of each calendar year and 60 days after the subsequent amendments thereto, shall provide the statement of investment policy required pursuant to this section, to the California Debt and Investment Advisory Commission.~~

~~(h)~~

(g) In recognition of the state and local interests served by the actions made optional in subdivisions (a) and (b), the Legislature encourages the local agency officials to continue taking the actions formerly mandated by this section. However, nothing in this subdivision may be construed to impose any liability on a local agency that does not continue to take the formerly mandated action.

*SEC. 68.7. Section 53961 of the Government Code is amended to read:*

53961. ~~The governing board of a public cemetery district organized pursuant to the Public Cemetery District Law, Part 4 (commencing with Section 9000) of Division 8 of the Health and Safety Code or the governing board of a mosquito abatement district or a vector control district organized pursuant to the~~



1 Mosquito Abatement and Vector Control District Law, Chapter 1  
2 (commencing with Section 2000) of Division 8 of the Health and  
3 Safety Code, may by resolution provide for the establishment of  
4 a revolving fund in an amount not to exceed 110 percent of  
5 one-twelfth of the district's adopted budget for that fiscal year.  
6 This fund, which shall replace the fund authorized in Section  
7 53952, may be used to pay any authorized expenditures of the  
8 district. The resolution that established the district revolving fund  
9 shall conform with the designations required in Section 53952.

10 SEC. 69. Chapter 6 (commencing with Section 60000) of  
11 Division 1 of Title 5 of the Government Code is repealed.

12 SEC. 70. Section 61002 of the Government Code is amended  
13 to read:

14 61002. Unless the context requires otherwise, as used in this  
15 division, the following terms shall have the following meanings:

16 (a) "At large" means the election of members of the board of  
17 directors all of whom are elected by the voters of the entire district.

18 (b) "Board of directors" means the board of directors of a district  
19 that establishes policies for the operation of the district.

20 (c) "By divisions" means the election of members of the board  
21 of directors who are residents of the division from which they are  
22 elected only by voters of the division.

23 (d) "District" means a community services district created  
24 pursuant to this division or any of its statutory predecessors.

25 (e) "From divisions" means the election of members of the board  
26 of directors who are residents of the division from which they are  
27 elected by the voters of the entire district.

28 (f) "General manager" means the highest level management  
29 appointee who is directly responsible to the board of directors for  
30 the implementation of the policies established by the board of  
31 directors.

32 (g) "Graffiti abatement" means the power to prevent graffiti on  
33 public or private property, receive reports of graffiti on public or  
34 private property, provide rewards not to exceed one thousand  
35 dollars (\$1,000) for information leading to the arrest and conviction  
36 of persons who apply graffiti on public or private property, abate  
37 graffiti as a public nuisance pursuant to Section 731 of the Code  
38 of Civil Procedure, remove graffiti from public or private property,  
39 and use the services of persons ordered by a court to remove  
40 graffiti.

(h) “Latent power” means those services and facilities authorized by Part 3 (commencing with Section 61100) that the local agency formation commission has determined, pursuant to subdivision (i) of Section 56425, that a district did not provide prior to January 1, 2006.

(i) “President” or “chair” means the presiding officer of the board of directors.

(j) “Principal county” means the county having all or the greatest portion of the entire assessed valuation, as shown on the last equalized assessment roll of the county or counties, of all taxable property in the district.

(k) “Secretary” means the secretary of the board of directors.

(l) “Voter” means a voter as defined by Section 359 of the Elections Code.

(m) “Zone” means a zone formed pursuant to Chapter 5 (commencing with Section 61140) of Part 3.

*SEC. 70.5. Section 61061 of the Government Code is amended to read:*

61061. (a) A district shall have perpetual succession.

(b) A board of directors may, by resolution, change the name of the district. The resolution shall comply with the requirements of Chapter 23 (commencing with Section 7530) of Division 7 of Title 1. Notwithstanding Section 7530, any district formed on and after January 1, 2006, and any district that changes its name on or after January 1, 2006, shall have the words “community services district” within its name. Within 10 days of its adoption, the board of directors shall file a copy of its resolution with the Secretary of State, *the State Board of Equalization*, the county clerk, *the county auditor*, the board of supervisors, and the local agency formation commission of each county in which the district is located.

(c) A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1.

*SEC. 71. Section 66412 of the Government Code is amended to read:*

66412. This division shall be inapplicable to any of the following:

(a) The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobilehome parks, or trailer parks.

(b) Mineral, oil, or gas leases.

1 (c) Land dedicated for cemetery purposes under the Health and  
2 Safety Code.

3 (d) A lot line adjustment between four or fewer existing  
4 adjoining parcels, where the land taken from one parcel is added  
5 to an adjoining parcel, and where a greater number of parcels than  
6 originally existed is not thereby created, if the lot line adjustment  
7 is approved by the local agency, or advisory agency. A local agency  
8 or advisory agency shall limit its review and approval to a  
9 determination of whether or not the parcels resulting from the lot  
10 line adjustment will conform to the local general plan, any  
11 applicable specific plan, any applicable coastal plan, and zoning  
12 and building ordinances. An advisory agency or local agency shall  
13 not impose conditions or exactions on its approval of a lot line  
14 adjustment except to conform to the local general plan, any  
15 applicable specific plan, any applicable coastal plan, and zoning  
16 and building ordinances, to require the prepayment of real property  
17 taxes prior to the approval of the lot line adjustment, or to facilitate  
18 the relocation of existing utilities, infrastructure, or easements. No  
19 tentative map, parcel map, or final map shall be required as a  
20 condition to the approval of a lot line adjustment. The lot line  
21 adjustment shall be reflected in a deed, which shall be recorded.  
22 No record of survey shall be required for a lot line adjustment  
23 unless required by Section 8762 of the Business and Professions  
24 Code. A local agency shall approve or disapprove a lot line  
25 adjustment pursuant to the Permit Streamlining Act (Chapter 4.5  
26 (commencing with Section 65920) of Division 1).

27 (e) Boundary line or exchange agreements to which the State  
28 Lands Commission or a local agency holding a trust grant of tide  
29 and submerged lands is a party.

30 (f) Any separate assessment under Section 2188.7 of the  
31 Revenue and Taxation Code.

32 (g) Unless a parcel or final map was approved by the legislative  
33 body of a local agency, the conversion of a community apartment  
34 project, as defined in Section 1351 of the Civil Code, to a  
35 condominium, as defined in Section 783 of the Civil Code, but  
36 only if all of the following requirements are met:

37 (1) At least 75 percent of the units in the project were occupied  
38 by record owners of the project on March 31, 1982.

39 (2) A final or parcel map of the project was properly recorded,  
40 if the property was subdivided, as defined in Section 66424, after

1 January 1, 1964, with all of the conditions of that map remaining  
2 in effect after the conversion.

3 (3) The local agency certifies that the above requirements were  
4 satisfied if the local agency, by ordinance, provides for that  
5 certification.

6 (4) Subject to compliance with subdivision (e) of Section 1351  
7 of the Civil Code, all conveyances and other documents necessary  
8 to effectuate the conversion shall be executed by the required  
9 number of owners in the project as specified in the bylaws or other  
10 organizational documents. If the bylaws or other organizational  
11 documents do not expressly specify the number of owners  
12 necessary to execute the conveyances and other documents, a  
13 majority of owners in the project shall be required to execute the  
14 conveyances or other documents. Conveyances and other  
15 documents executed under the foregoing provisions shall be  
16 binding upon and affect the interests of all parties in the project.

17 (h) Unless a parcel or final map was approved by the legislative  
18 body of a local agency, the conversion of a stock cooperative, as  
19 defined in Section 1351 of the Civil Code, to a condominium, as  
20 defined in Section 783 of the Civil Code, but only if all of the  
21 following requirements are met:

22 (1) At least 51 percent of the units in the cooperative were  
23 occupied by stockholders of the cooperative on January 1, 1981,  
24 or individually owned by stockholders of the cooperative on  
25 January 1, 1981. As used in this paragraph, a cooperative unit is  
26 “individually owned” if and only if the stockholder of that unit  
27 owns or partially owns an interest in no more than one unit in the  
28 cooperative.

29 (2) No more than 25 percent of the shares of the cooperative  
30 were owned by any one person, as defined in Section 17, including  
31 an incorporator or director of the cooperative, on January 1, 1981.

32 (3) A person renting a unit in a cooperative shall be entitled at  
33 the time of conversion to all tenant rights in state or local law,  
34 including, but not limited to, rights respecting first refusal, notice,  
35 and displacement and relocation benefits.

36 (4) The local agency certifies that the above requirements were  
37 satisfied if the local agency, by ordinance, provides for that  
38 certification.

39 (5) Subject to compliance with subdivision (e) of Section 1351  
40 of the Civil Code, all conveyances and other documents necessary

1 to effectuate the conversion shall be executed by the required  
2 number of owners in the cooperative as specified in the bylaws or  
3 other organizational documents. If the bylaws or other  
4 organizational documents do not expressly specify the number of  
5 owners necessary to execute the conveyances and other documents,  
6 a majority of owners in the cooperative shall be required to execute  
7 the conveyances or other documents. Conveyances and other  
8 documents executed under the foregoing provisions shall be  
9 binding upon and affect the interests of all parties in the  
10 cooperative.

11 (i) The leasing of, or the granting of an easement to, a parcel of  
12 land, or any portion or portions thereof, in conjunction with the  
13 financing, erection, and sale or lease of a windpowered electrical  
14 generation device on the land, if the project is subject to  
15 discretionary action by the advisory agency or legislative body.

16 (j) The leasing or licensing of a portion of a parcel, or the  
17 granting of an easement, use permit, or similar right on a portion  
18 of a parcel, to a telephone corporation as defined in Section 234  
19 of the Public Utilities Code, exclusively for the placement and  
20 operation of cellular radio transmission facilities, including, but  
21 not limited to, antennae support structures, microwave dishes,  
22 structures to house cellular communications transmission  
23 equipment, power sources, and other equipment incidental to the  
24 transmission of cellular communications, if the project is subject  
25 to discretionary action by the advisory agency or legislative body.

26 (k) Leases of agricultural land for agricultural purposes. As used  
27 in this subdivision, “agricultural purposes” means the cultivation  
28 of food or fiber, or the grazing or pasturing of livestock.

29 (l) The leasing of, or the granting of an easement to, a parcel of  
30 land, or any portion or portions thereof, in conjunction with the  
31 financing, erection, and sale or lease of a solar electrical generation  
32 device on the land, if the project is subject to review under other  
33 local agency ordinances regulating design and improvement or, if  
34 the project is subject to other discretionary action by the advisory  
35 agency or legislative body.

36 (m) *The leasing of, or the granting of an easement to, a parcel*  
37 *of land or any portion or portions of the land, in conjunction with*  
38 *a biogas project that uses, as part of its operation, agricultural*  
39 *waste or byproducts from the land where the project is located*  
40 *and reduces overall emissions of greenhouse gases from*

1 *agricultural operations on the land, if the project is subject to*  
2 *review under other local agency ordinances regulating design and*  
3 *improvement or if the project is subject to discretionary action by*  
4 *the advisory agency or legislative body.*

5 SEC. 72. Section 66434 of the Government Code is amended  
6 to read:

7 66434. The final map shall be prepared by or under the  
8 direction of a registered civil engineer or licensed land surveyor,  
9 shall be based upon a survey, and shall conform to all of the  
10 following provisions:

11 (a) It shall be legibly drawn, printed, or reproduced by a process  
12 guaranteeing a permanent record in black on tracing cloth or  
13 polyester base film. Certificates, affidavits, and acknowledgments  
14 may be legibly stamped or printed upon the map with opaque ink.  
15 If ink is used on polyester base film, the ink surface shall be coated  
16 with a suitable substance to assure permanent legibility.

17 (b) The size of each sheet shall be 18 by 26 inches or 460 by  
18 660 millimeters. A marginal line shall be drawn completely around  
19 each sheet, leaving an entirely blank margin of one inch or 025  
20 millimeters. The scale of the map shall be large enough to show  
21 all details clearly and enough sheets shall be used to accomplish  
22 this end. The particular number of the sheet and the total number  
23 of sheets comprising the map shall be stated on each of the sheets,  
24 and its relation to each adjoining sheet shall be clearly shown.

25 (c) All survey and mathematical information and data necessary  
26 to locate all monuments and to locate and retrace any and all  
27 interior and exterior boundary lines appearing on the map shall be  
28 shown, including bearings and distances of straight lines, and radii  
29 and arc length or chord bearings and length for all curves, and any  
30 information that may be necessary to determine the location of the  
31 centers of curves and ties to existing monuments used to establish  
32 the subdivision boundaries.

33 (d) Each parcel shall be numbered or lettered and each block  
34 may be numbered or lettered. Each street shall be named or  
35 otherwise designated. The subdivision number shall be shown  
36 together with the description of the real property being subdivided.

37 (e) (1) The exterior boundary of the land included within the  
38 subdivision shall be indicated by distinctive symbols and clearly  
39 so designated. The exterior boundary of the land included within  
40 the subdivision shall not include a designated remainder or omitted

1 parcel that is designated or omitted under Section 66424.6. The  
2 designated remainder or omitted parcel shall be labeled as a  
3 designated remainder parcel or omitted parcel. The map shall show  
4 the definite location of the subdivision, and particularly its relation  
5 to surrounding surveys.

6 (2) If the map includes a “designated remainder” parcel, and  
7 the gross area of the “designated remainder” parcel or similar  
8 parcel is five acres or more, that remainder parcel need not be  
9 shown on the map and its location need not be indicated as a matter  
10 of survey, but only by deed reference to the existing boundaries  
11 of the remainder parcel.

12 (3) A parcel designated as “not a part” shall be deemed to be a  
13 “designated remainder” for purposes of this section.

14 (f) On and after January 1, 1987, no additional requirements  
15 shall be included that do not affect record title interests. However,  
16 the map shall contain a notation or reference to additional  
17 information required by a local ordinance adopted pursuant to  
18 Section 66434.2.

19 (g) Any public streets or public easements to be left in effect  
20 after the subdivision shall be adequately delineated on the map.  
21 The filing of the final map shall constitute abandonment of all  
22 public streets and public easements not shown on the map, provided  
23 that a written notation of each abandonment is listed by reference  
24 to the recording data or other official record creating these public  
25 streets or public easements and certified to on the map by the clerk  
26 of the legislative body or the designee of the legislative body  
27 approving the map. Before a public easement vested in another  
28 public entity may be abandoned pursuant to this section, that public  
29 entity shall receive notice of the proposed abandonment. No public  
30 easement vested in another public entity shall be abandoned  
31 pursuant to this section if that public entity objects to the proposed  
32 abandonment.

33 SEC. 73. Section 66439 of the Government Code is amended  
34 to read:

35 66439. (a) Dedications of, or offers to dedicate interests in,  
36 real property for specified public purposes shall be made by a  
37 statement on the final map, signed and acknowledged by those  
38 parties having any record title interest in the real property being  
39 subdivided, subject to the provisions of Section 66436.

1 (b) In the event any street shown on a final map is not offered  
2 for dedication, the statement may contain a declaration to this  
3 effect. If the statement appears on the final map and if the map is  
4 approved by the legislative body, the use of the street or streets by  
5 the public shall be permissive only.

6 (c) An offer of dedication of real property for street or public  
7 utility easement purposes shall be deemed not to include any public  
8 utility facilities located on or under the real property unless, and  
9 only to the extent that, an intent to dedicate the facilities is  
10 expressly declared in the statement.

11 (d) (1) If a subdivider is required under this division or any  
12 other provision of law to make a dedication for specified public  
13 purposes on a final map, the local agency shall specify whether  
14 the dedication is to be in fee for public purposes or an easement  
15 for public purposes.

16 (2) If the dedication is required to be in fee for public purposes,  
17 the subdivider shall include the following language in the  
18 dedication clause on the final map or any separate instrument:  
19 “The real property described below is dedicated in fee for public  
20 purposes: (here insert a description of the dedicated property that  
21 is adequate to convey the property).”

22 (3) If the dedication is required to be an easement for public  
23 purposes, the subdivider shall include the following language in  
24 the dedication clause on the final map or any separate instrument:  
25 “The real property described below is dedicated as an easement  
26 for public purposes: (here insert a description of the easement that  
27 is adequate to convey the dedicated property).”

28 SEC. 74. Section 66445 of the Government Code is amended  
29 to read:

30 66445. The parcel map shall be prepared by, or under the  
31 direction of, a registered civil engineer or licensed land surveyor,  
32 shall show the location of streets and property lines bounding the  
33 property, and shall conform to all of the following provisions:

34 (a) It shall be legibly drawn, printed, or reproduced by a process  
35 guaranteeing a permanent record in black on tracing cloth or  
36 polyester base film. Certificates or statements, affidavits, and  
37 acknowledgments may be legibly stamped or printed upon the map  
38 with opaque ink. If ink is used on polyester base film, the ink  
39 surface shall be coated with a suitable substance to assure  
40 permanent legibility.



1 (b) The size of each sheet shall be 18 by 26 inches or 460 by  
2 660 millimeters. A marginal line shall be drawn completely around  
3 each sheet, leaving an entirely blank margin of one inch or 025  
4 millimeters. The scale of the map shall be large enough to show  
5 all details clearly and enough sheets shall be used to accomplish  
6 this end. The particular number of the sheet and the total number  
7 of sheets comprising the map shall be stated on each of the sheets,  
8 and its relation to each adjoining sheet shall be clearly shown.

9 (c) Each parcel shall be numbered or lettered and each block  
10 may be numbered or lettered. Each street shall be named or  
11 otherwise designated. The subdivision number shall be shown  
12 together with the description of the real property being subdivided.

13 (d) (1) The exterior boundary of the land included within the  
14 subdivision shall be indicated by distinctive symbols and clearly  
15 so designated. The exterior boundary of the land included within  
16 the subdivision shall not include a designated remainder or omitted  
17 parcel that is designated or omitted under Section 66424.6. The  
18 designated remainder parcel or omitted parcel shall be labeled as  
19 a designated remainder parcel or an omitted parcel.

20 (2) The map shall show the location of each parcel and its  
21 relation to surrounding surveys. If the map includes a “designated  
22 remainder” parcel or similar parcel, and the gross area of the  
23 “designated remainder” parcel or similar parcel is five acres or  
24 more, that remainder parcel need not be shown on the map and its  
25 location need not be indicated as a matter of survey, but only by  
26 deed reference to the existing boundaries of the remainder parcel.

27 (3) A parcel designated as “not a part” shall be deemed to be a  
28 “designated remainder” for purposes of this section.

29 (e) Subject to the provisions of Section 66436, a statement,  
30 signed and acknowledged by all parties having any record title  
31 interest in the real property subdivided, consenting to the  
32 preparation and recordation of the parcel map is required, except  
33 that less inclusive requirements may be provided by local  
34 ordinance.

35 With respect to a division of land into four or fewer parcels,  
36 where dedications or offers of dedications are not required, the  
37 statement shall be signed and acknowledged by the subdivider  
38 only. If the subdivider does not have a record title ownership  
39 interest in the property to be divided, the local agency may require  
40 that the subdivider provide the local agency with satisfactory

1 evidence that the persons with record title ownership have  
2 consented to the proposed division. For purposes of this paragraph,  
3 “record title ownership” means fee title of record unless a leasehold  
4 interest is to be divided, in which case “record title ownership”  
5 means ownership of record of the leasehold interest. Record title  
6 ownership does not include ownership of mineral rights or other  
7 subsurface interests that have been severed from ownership of the  
8 surface.

9 (f) Notwithstanding any other provision of this article, local  
10 agencies may require that those statements and acknowledgments  
11 required pursuant to subdivision (e) be made by separate instrument  
12 to be recorded concurrently with the parcel map being filed for  
13 record.

14 (g) On and after January 1, 1987, no additional survey and map  
15 requirements shall be included on a parcel map that do not affect  
16 record title interests. However, the map shall contain a notation  
17 of reference to survey and map information required by a local  
18 ordinance adopted pursuant to Section 66434.2.

19 (h) Whenever a certificate or acknowledgment is made by  
20 separate instrument, there shall appear on the parcel map a  
21 reference to the separately recorded document. This reference shall  
22 be completed by the county recorder pursuant to Section 66468.1.

23 (i) If a field survey was performed, the parcel map shall contain  
24 a statement by the engineer or surveyor responsible for the  
25 preparation of the map that states that all monuments are of the  
26 character and occupy the positions indicated, or that they will be  
27 set in those positions on or before a specified date, and that the  
28 monuments are, or will be, sufficient to enable the survey to be  
29 retraced.

30 (j) Any public streets or public easements to be left in effect  
31 after the subdivision shall be adequately delineated on the map.  
32 The filing of the parcel map shall constitute abandonment of all  
33 public streets and public easements not shown on the map, provided  
34 that a written notation of each abandonment is listed by reference  
35 to the recording data or other official record creating these public  
36 streets or public easements and certified to on the map by the clerk  
37 of the legislative body or the designee of the legislative body  
38 approving the map. Before a public easement vested in another  
39 public entity may be abandoned pursuant to this section, that public  
40 entity shall receive notice of the proposed abandonment. No public

1 easement vested in another public entity shall be abandoned  
2 pursuant to this section if that public entity objects to the proposed  
3 abandonment.

4 SEC. 75. Section 66447 of the Government Code is amended  
5 to read:

6 66447. (a) If dedications or offers of dedication are required,  
7 they may be made either by a statement on the parcel map or by  
8 separate instrument, as provided by local ordinance. If dedications  
9 or offers of dedication are made by separate instrument, the  
10 dedications or offers of dedication shall be recorded concurrently  
11 with, or prior to, the parcel map being filed for record.

12 (b) The dedication or offers of dedication, whether by statement  
13 or separate instrument, shall be signed by the same parties and in  
14 the same manner as set forth in Section 66439 for dedications by  
15 a final map.

16 (c) (1) If a subdivider is required under this division or any other  
17 provision of law to make a dedication for specified public purposes  
18 on a parcel map, the local agency shall specify whether the  
19 dedication is to be in fee for public purposes or an easement for  
20 public purposes.

21 (2) If the dedication is required to be in fee for public purposes,  
22 the subdivider shall include the following language in the  
23 dedication clause on the parcel map or any separate instrument:  
24 “The real property described below is dedicated in fee for public  
25 purposes: (here insert a description of the dedicated property that  
26 is adequate to convey the property).”

27 (3) If the dedication is required to be an easement for public  
28 purposes, the subdivider shall include the following language in  
29 the dedication clause on the parcel map or any separate instrument:  
30 “The real property described below is dedicated as an easement  
31 for public purposes: (here insert a description of the easement that  
32 is adequate to convey the dedicated property).”

33 SEC. 75.3. *Section 9002 of the Health and Safety Code is*  
34 *amended to read:*

35 9002. The definitions in Chapter 1 (commencing with Section  
36 7000) of Part 1 of Division 7 apply to this part. Further, as used  
37 in this part, the following terms have the following meanings:

38 (a) “Active militia” means the active militia as defined by  
39 Section 120 of the Military and Veterans Code.

(b) “Armed services” means the armed services as defined by Section 18540 of the Government Code.

(c) “Board of trustees” means the legislative body of a district.

(d) “District” means a public cemetery district created pursuant to this part or any of its statutory predecessors.

(e) “Family member” means any spouse, by marriage or otherwise, child or stepchild, by natural birth or adoption, parent, brother, sister, half-brother, half-sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or any person denoted by the prefix “grand” or “great,” or the spouse of any of these persons.

(f) “Firefighter” means a firefighter as defined by Section 1797.182.

(g) “*Interment right*” means the right to use or control the use of a plot, niche, or other space, authorized by this part, for the interment of human remains.

~~(g)~~

(h) “Nonresident” means a person who does not reside within a district or does not pay property taxes on property located in a district.

~~(h)~~

(i) “Peace officer” means a peace officer as defined by Section 830 of the Penal Code.

~~(i)~~

(j) “Principal county” means the county having all or the greater portion of the entire assessed value, as shown on the last equalized assessment roll of the county or counties, of all taxable property within a district.

~~(j)~~

(k) “Voter” means a voter as defined by Section 359 of the Elections Code.

SEC. 75.5. Section 9074 of the Health and Safety Code is amended to read:

9074. (a) A district may accept any grants, goods, money, property, revenue, or services from any federal, state, regional, or local agency or from any person for any lawful purpose of the district.

(b) Except as provided by Section 9077, all moneys received or collected by a district shall be paid into a separate fund in the

1 *county treasury on or before the 10th day of the month following*  
2 *the month in which the district received or collected the money.*

3 ~~(b)~~

4 (c) In addition to any other existing authority, a district may  
5 borrow money and incur indebtedness pursuant to Article 7  
6 (commencing with Section 53820), Article 7.5 (commencing with  
7 Section 53840), Article 7.6 (commencing with Section 53850),  
8 and Article 7.7 (commencing with Section 53859) of Chapter 4 of  
9 Part 1 of Division 2 of Title 5 of the Government Code.

10 *SEC. 75.7. Section 9078 of the Health and Safety Code is*  
11 *amended to read:*

12 9078. A district may, *by resolution*, establish a revolving fund  
13 ~~to pay any authorized expenditures of the district~~, pursuant to  
14 Article 15 (commencing with Section 53950) of Chapter 4 of Part  
15 1 of Division 2 of Title 5 of the Government Code. *The maximum*  
16 *amount of the revolving fund shall not exceed either of the*  
17 *following:*

18 (a) *One thousand dollars (\$1,000) if the purpose of the revolving*  
19 *fund is to make change and pay small bills directly.*

20 (b) *One hundred ten percent of one-twelfth of the district's*  
21 *adopted budget for the current fiscal year, if the purpose of the*  
22 *revolving fund is to pay any authorized expenditures of the district.*

23 *SEC. 75.9. Section 40100.5 of the Health and Safety Code is*  
24 *amended to read:*

25 40100.5. (a) The membership of the governing board of each  
26 county district shall include (1) one or more members who are  
27 mayors, city council members, or both, and (2) one or more  
28 members who are county supervisors.

29 (b) The number of those members and their composition shall  
30 be determined jointly by the county and the cities within the  
31 district, and shall be approved by the county, and by a majority of  
32 the cities ~~which~~ *that* contain a majority of the population in the  
33 incorporated area of the district.

34 (c) The governing board shall reflect, to the extent feasible and  
35 practicable, the geographic diversity of the district and the variation  
36 of population between the cities in the district.

37 (d) (1) The members of the governing board who are mayors  
38 or city council members shall be selected by the city selection  
39 committee. *When selecting a member of the governing board, the*  
40 *city selection committee may also select a mayor or another city*

1 *council member as an alternate to serve and vote in place of the*  
2 *member who is absent or disqualified from participating.*

3 (2) In districts where the county and the cities have agreed that  
4 each city shall be represented on the governing board, each city  
5 shall select its own representative to the governing board. *When*  
6 *selecting a member of the governing board, each city may also*  
7 *select its mayor or another city council member as an alternate*  
8 *to serve and vote in place of the member who is absent or is*  
9 *disqualified from participating.*

10 (3) The members of the governing board who are county  
11 supervisors shall be selected by the county.

12 (e) This section does not apply to any district in which the  
13 population of the incorporated area of the county is 35 percent or  
14 less of the total county population, as determined by the district  
15 on June 30, 1994, or to a county district having a population of  
16 more than 2,500,000 as of June 30, 1990.

17 (f) If a district fails to comply with subdivisions (a) and (b), the  
18 membership of the governing board shall be determined as follows:

19 (1) In districts in which the population in the incorporated areas  
20 represents between 36 and 50 percent of the total county  
21 population, one-third of the members of the governing board shall  
22 be mayors or city council members, and two-thirds shall be county  
23 supervisors.

24 (2) In districts in which the population in the incorporated areas  
25 represents more than 50 percent of the total county population,  
26 one-half of the members of the governing board shall be mayors  
27 or city council members, and one-half shall be county supervisors.

28 (3) The number of those members shall be determined as  
29 provided in subdivision (b), and the members shall be selected  
30 pursuant to subdivision (d).

31 (4) For purposes of paragraphs (1) and (2), if any number ~~which~~  
32 *that* is not a whole number results from the application of the term  
33 “one-third,” “one-half,” or “two-thirds,” the number of county  
34 supervisors shall be increased to the nearest integer, and the number  
35 of mayors or city council members decreased to the nearest integer.

36 SEC. 76. Section 101350 of the Health and Safety Code is  
37 amended to read:

38 101350. Any board of supervisors may levy a special ~~sanitary~~  
39 tax on all the property in the county, outside of any

city pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, and spend the proceeds to prevent the introduction of, and to eradicate, dangerous, infectious, or communicable diseases, and for general sanitation purposes.

*SEC. 76.3. Section 103500 of the Health and Safety Code is repealed.*

~~103500. A certification of birth or of birth data issued by an agency of the government of the United States to authenticate a birth of a child to a United States citizen outside of the United States may be recorded in the office of a county recorder in the last county of permanent residence of one or both parents of the child if the last permanent residence in the United States of one or both parents of the child was in California. A certification of death or death data issued by an agency of the government of the United States to authenticate the death of a United States citizen outside of the United States may be recorded in the office of the county recorder in the last county of permanent residence if the last permanent residence in the United States of the citizen was in California.~~

*SEC. 76.5. Section 103501 is added to the Health and Safety Code, to read:*

*103501. A county recorder shall issue a certified copy of a foreign birth or death recorded in the office of the county recorder only as an official record of the county recorder, as defined in subdivision (a) of Section 27300 of the Government Code, and not as a certified copy of a vital record pursuant to Chapter 14 of Part 1 of Division 102 (commencing with Section 103525).*

*SEC. 76.7. Section 103505 of the Health and Safety Code is amended to read:*

*103505. (a) A certification of birth or death outside of the United States, upon recordation shall not be recorded by the county recorder, shall be indexed in the county recorder's birth index in the year of occurrence of the birth recorder.*

*(b) This section shall not apply to any court order delayed birth certificate or court order delayed death certificate issued pursuant to Chapter 12 of Part 1 of Division 102 (commencing with Section 103450).*

*SEC. 77. Section 1121 of the Military and Veterans Code is amended to read:*

1121. For the purposes of this chapter the board of supervisors of any county may:

(a) Purchase, receive by donation, condemn, lease, or otherwise acquire real and personal property necessary for such home, and improve, preserve, manage, and control the same.

(b) Purchase, construct, lease, furnish, and repair buildings for such home and provide the necessary custodians, employees, attendants, and supplies for its proper maintenance.

(c) Levy a special tax pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, and spend the proceeds for the purposes of this chapter.

(d) Establish a fund for the purposes of this chapter, and transfer from the general fund to such fund such moneys as the board deems necessary.

(e) Incur, in the manner provided by law, a bonded indebtedness on behalf of the county for any of the purposes of this chapter.

(f) Join with any incorporated city in the county in the accomplishment of the purposes of this chapter and to that end hold jointly with such city all property acquired, and expend money in conjunction with such city.

SEC. 78. Section 1262 of the Military and Veterans Code is amended to read:

1262. Any county may provide, maintain or provide and maintain buildings, memorial halls, meeting places, memorial parks, or recreation centers for the use or benefit of one or more veterans' associations. For these purposes the board of supervisors of any county may:

(a) Purchase, receive by donation, condemn, lease, or acquire real or personal property necessary for such buildings, memorial parks, or recreation centers, and improve, preserve, manage, and control the same.

(b) Purchase, construct, lease, furnish, or repair such buildings, and provide custodians, employees, attendants, and supplies for the proper maintenance thereof.

(c) Clear, grade, plant, irrigate, fence, and improve such memorial parks, or recreation centers, and provide custodians, employees, attendants, and supplies for the proper maintenance thereof.



1 (d) Furnish sites for such buildings to be built by or for such  
2 organizations, and furnish sites for the erection thereon of such  
3 buildings, the funds for which are supplied by county authorities  
4 or from other sources. Any part or portion of any public lot, block,  
5 or park may be used for such purpose.

6 (e) Levy a special tax pursuant to Article 3.5 (commencing with  
7 Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of  
8 the Government Code, and spend the proceeds for the purposes of  
9 this chapter.

10 (f) Establish a fund for the purposes hereof, and transfer from  
11 the General Fund to such fund such moneys as the board deems  
12 necessary.

13 (g) Incur, in the manner provided by law, a bonded indebtedness  
14 on behalf of the county for any of the purposes hereof.

15 (h) Join with any incorporated city in the county in the  
16 accomplishment of the above purposes and to that end hold jointly  
17 with such city all property acquired, and expended money in  
18 conjunction with such city in accomplishing the above purposes.  
19 Title to any property jointly so acquired by a county and a city  
20 may at any time be conveyed by either of the joint owners to the  
21 other without consideration other than to carry out the purposes  
22 of this section.

23 (i) Join with memorial districts in the purchase, acquisition, or  
24 construction of memorial halls, assembly halls, buildings or  
25 meeting places, or in the accomplishment of any other purpose for  
26 which a memorial district has been organized, using the funds  
27 authorized to be raised by this section. Title to any property so  
28 purchased, acquired, or constructed may be taken in the name of  
29 the memorial district, or jointly with the county, or the county may  
30 convey any property so acquired, purchased, or constructed to the  
31 memorial district without consideration to the county. The board  
32 of supervisors may transfer to a memorial district funds raised  
33 pursuant to this section to be expended by the district in furtherance  
34 of the purposes of the district under terms and conditions consistent  
35 with the purposes for which the funds were raised.

36 ~~SEC. 79. Section 20142 of the Public Contract Code is amended~~  
37 ~~to read:~~

38 ~~20142. (a) The board of supervisors may, by ordinance,~~  
39 ~~resolution, or board order, authorize the county engineer, or other~~  
40 ~~county officer, to order changes or additions in the work being~~

1 performed under construction contracts. When so authorized, any  
2 change or addition in the work shall be ordered in writing by the  
3 county engineer, or other designated officer. The extra cost for  
4 any change or addition to the work so ordered shall not exceed:

5 (1) Five thousand dollars (\$5,000) when the total amount of the  
6 original contract does not exceed fifty thousand dollars (\$50,000).

7 (2) Ten percent of the amount of any original contract that  
8 exceeds fifty thousand dollars (\$50,000), but does not exceed two  
9 hundred fifty thousand dollars (\$250,000).

10 (3) Twenty-five thousand dollars (\$25,000), plus 5 percent of  
11 the amount of the original contract cost in excess of two hundred  
12 fifty thousand dollars (\$250,000) for contracts whose original cost  
13 exceeds two hundred fifty thousand dollars (\$250,000).

14 (b) In no event shall any change or alteration exceed two  
15 hundred ten thousand dollars (\$210,000), except that the board of  
16 supervisors may adjust this limit to reflect changes in the applicable  
17 regional consumer price index published by the Bureau of Labor  
18 Statistics of the United States Department of Labor.

19 SEC. 80.— Section 20614 is added to the Public Contract Code,  
20 to read:

21 20614.—(a) The board of supervisors may, by ordinance,  
22 resolution, or board order, authorize the general manager, or other  
23 county officer, to order changes or additions in the work being  
24 performed under construction contracts. When so authorized, any  
25 change or addition in the work shall be ordered in writing by the  
26 general manager, or other designated officer. The extra cost for  
27 any change or addition to the work so ordered shall not exceed:

28 (1) Five thousand dollars (\$5,000) when the total amount of the  
29 original contract does not exceed fifty thousand dollars (\$50,000).

30 (2) Ten percent of the amount of any original contract that  
31 exceeds fifty thousand dollars (\$50,000), but does not exceed two  
32 hundred fifty thousand dollars (\$250,000).

33 (3) Twenty-five thousand dollars (\$25,000), plus 5 percent of  
34 the amount of the original contract cost in excess of two hundred  
35 fifty thousand dollars (\$250,000) for contracts whose original cost  
36 exceeds two hundred fifty thousand dollars (\$250,000).

37 (b) In no event shall any change or alteration exceed two  
38 hundred ten thousand dollars (\$210,000), except that the board of  
39 supervisors may adjust this limit to reflect changes in the applicable

1 regional consumer price index published by the Bureau of Labor  
2 Statistics of the United States Department of Labor.

3 ~~SEC. 81.~~ Section 20998 is added to the Public Contract Code,  
4 to read:

5 20998. (a) ~~The board of supervisors may, by ordinance,~~  
6 ~~resolution, or board order, authorize the general manager, or other~~  
7 ~~county officer, to order changes or additions in the work being~~  
8 ~~performed under construction contracts. When so authorized, any~~  
9 ~~change or addition in the work shall be ordered in writing by the~~  
10 ~~general manager, or other designated officer. The extra cost for~~  
11 ~~any change or addition to the work so ordered shall not exceed:~~

12 ~~(1) Five thousand dollars (\$5,000) when the total amount of the~~  
13 ~~original contract does not exceed fifty thousand dollars (\$50,000).~~

14 ~~(2) Ten percent of the amount of any original contract that~~  
15 ~~exceeds fifty thousand dollars (\$50,000), but does not exceed two~~  
16 ~~hundred fifty thousand dollars (\$250,000).~~

17 ~~(3) Twenty-five thousand dollars (\$25,000), plus 5 percent of~~  
18 ~~the amount of the original contract cost in excess of two hundred~~  
19 ~~fifty thousand dollars (\$250,000) for contracts whose original cost~~  
20 ~~exceeds two hundred fifty thousand dollars (\$250,000).~~

21 ~~(b) In no event shall any change or alteration exceed two~~  
22 ~~hundred ten thousand dollars (\$210,000), except that the board of~~  
23 ~~supervisors may adjust this limit to reflect changes in the applicable~~  
24 ~~regional consumer price index published by the Bureau of Labor~~  
25 ~~Statistics of the United States Department of Labor.~~

26 ~~SEC. 82.~~

27 ~~SEC. 79.~~ Section 13041 of the Public Resources Code is  
28 amended to read:

29 13041. (a) Any compensation provided pursuant to this section  
30 shall comply with Articles 2.3 (commencing with Section 53232)  
31 and 2.4 (commencing with Section 53234) of Chapter 2 of Part 1  
32 of Division 2 of Title 5 of the Government Code.

33 (b) The district board may authorize each director to receive  
34 compensation not exceeding twenty-five dollars (\$25) for each  
35 meeting of the board attended by the director within the State of  
36 California, not exceeding two meetings in any calendar month,  
37 plus reimbursement for actual and necessary expenses incurred in  
38 the performance of these duties.

1 (c) The district board may authorize a director to receive for  
2 performing duties for the district other than attending board  
3 meetings:

4 (1) Not to exceed twenty-five dollars (\$25) for each day, but  
5 payment is limited to five days in any calendar month as to each  
6 director other than the president.

7 (2) Actual and necessary expenses incurred in the performance  
8 of these duties.

9 (d) The secretary shall receive compensation set by the board,  
10 which compensation shall be in lieu of any other compensation to  
11 which the secretary may be entitled for attendance at meetings  
12 pursuant to this section.

13 ~~SEC. 83.~~

14 *SEC. 80.* Section 1550 of the Streets and Highways Code is  
15 amended to read:

16 1550. (a) A board of supervisors may form special road  
17 maintenance districts and levy special taxes for road and highway  
18 purposes to this chapter.

19 (b) Nothing contained in this section shall authorize any property  
20 tax for highway purposes to be levied or collected by a county  
21 within any city wherein work and improvements upon the streets  
22 are done by virtue of any law relating to street work and  
23 improvements within such a city.

24 ~~SEC. 84.~~

25 *SEC. 81.* Section 1550.1 of the Streets and Highways Code is  
26 amended to read:

27 1550.1. The board of supervisors may form special road  
28 maintenance districts in unincorporated areas of the county wholly  
29 outside of incorporated cities. Formation of these districts may be  
30 ordered by the board when in its opinion additional road funds are  
31 necessary to properly maintain highways and roads in specific  
32 unincorporated areas of the county. These districts shall be formed  
33 by order of the board setting forth the boundaries thereof. A district  
34 shall be in existence until the board shall by its order discontinue  
35 the district. If a district is to be formed, the board shall set a date  
36 for a hearing on the formation. This hearing shall not be held in  
37 less than three weeks after the date of the order for the hearing,  
38 and prior to the date of the hearing, a notice of the hearing shall  
39 be published twice in a newspaper of general circulation in the  
40 area, and, in addition, at least three notices shall be posted in public

1 places within the proposed district. At the hearing, protests, if any,  
2 shall be heard on the proposed formation of the district. It shall be  
3 within the power of the board to determine from the results of the  
4 hearing the necessity for the special road maintenance district,  
5 and, if it be deemed necessary, the district may be formed.

6 ~~SEC. 85.~~

7 *SEC. 82.* Section 1550.2 of the Streets and Highways Code is  
8 repealed.

9 ~~SEC. 86.~~

10 *SEC. 83.* Section 1550.2 is added to the Streets and Highways  
11 Code, to read:

12 1550.2. The board of supervisors may levy a special tax  
13 pursuant to Article 3.5 (commencing with Section 50075) of  
14 Chapter 1 of Part 1 of Division 1 of Title 5 of the Government  
15 Code, and spend the proceeds for the purposes of this chapter.

16 ~~SEC. 87.~~

17 *SEC. 84.* Section 1551 of the Streets and Highways Code is  
18 repealed.

19 ~~SEC. 88.~~

20 *SEC. 85.* Section 1552 of the Streets and Highways Code is  
21 amended to read:

22 1552. Except as otherwise provided in this code, all revenues  
23 from special taxes levied for highway and road purposes collected  
24 in each road district shall be expended for highway *and road*  
25 purposes within the district in which collected.

26 The board of supervisors shall cause such tax collected each  
27 year to be apportioned to the several road districts entitled thereto,  
28 and to be kept by the county treasurer in separate funds.

29 ~~SEC. 89.~~

30 *SEC. 86.* Section 1553 of the Streets and Highways Code is  
31 repealed.

32 ~~SEC. 90.~~

33 *SEC. 87.* Section 1554 of the Streets and Highways Code is  
34 repealed.

35 ~~SEC. 91.~~

36 *SEC. 88.* Section 5100 of the Streets and Highways Code is  
37 amended to read:

38 5100. (a) All streets, places, public ways, or property, or  
39 rights-of-way, or tidelands, or submerged lands owned by any city,  
40 open or dedicated to public use, and any property for which an

1 order for possession prior to judgment has been obtained, and all  
2 tidelands or submerged lands to which all the right, title, and  
3 interest of the state have been granted to any city, all tidelands or  
4 submerged lands for which a permit, license, or easement has been  
5 issued by the United States Army Corps of Engineers *or the state*  
6 for work to be done pursuant to subdivision (m) of Section 5101,  
7 and all tidelands or submerged lands which have been leased by  
8 the state to any city for the construction of improvements  
9 authorized by subdivision (g) of Section 5101, are open public  
10 streets, places, public ways, or property or rights-of-way owned  
11 by the city, for the purposes of this division, and the legislative  
12 body of the city may establish and change the grades of the  
13 respective ways, properties, and rights-of-way hereinbefore  
14 enumerated and fix the width thereof and is hereby invested with  
15 jurisdiction to order to be done therein, over or thereon, either  
16 singly or in any combination thereof, any of the work mentioned  
17 in this division under the proceedings described in this part.

18 *(b) Nothing in this section shall supersede the legislative body's*  
19 *obligation to obtain a lease or permit from the State Lands*  
20 *Commission for the use of state-owned tide or submerged lands.*

21 *SEC. 89. Section 376 of the Water Code is amended to read:*

22 376. (a) Any ordinance or resolution adopted pursuant to  
23 Section 375 is effective upon adoption. Within 10 days after its  
24 adoption, the ordinance or resolution shall be published pursuant  
25 to Section 6061 of the Government Code in full in a newspaper  
26 of general circulation which is printed, published, and circulated  
27 in the ~~district~~ public entity. If there is no such newspaper the  
28 ordinance or resolution shall be posted within 10 days after its  
29 adoption in three public places within the ~~district~~ public entity.

30 *(b) The publication of ordinances or resolutions, as required*  
31 *by subdivision (a), may be satisfied by either of the following*  
32 *actions:*

33 *(1) The public entity may publish a summary of a proposed*  
34 *ordinance, resolution, or proposed amendment to an existing*  
35 *ordinance or resolution. The summary shall be prepared by an*  
36 *official designated by the governing body. A summary shall be*  
37 *published and a certified copy of the full text of the proposed*  
38 *ordinance, resolution, or amendment shall be posted in the office*  
39 *of the governing body at least five days prior to the governing*  
40 *body's meeting at which the proposed ordinance, resolution, or*

1 *amendment is to be adopted. Within 15 days after adoption of the*  
2 *ordinance, resolution, or amendment, the governing body shall*  
3 *publish a summary of the ordinance, resolution, or amendment*  
4 *with the names of those members voting for and against the*  
5 *ordinance, resolution, or amendment and the official shall post in*  
6 *the office of the governing body a certified copy of the full text of*  
7 *the adopted ordinance, resolution, or amendment along with the*  
8 *names of those members voting for and against the ordinance,*  
9 *resolution, or amendment.*

10 (2) *If the official designated by the governing body determines*  
11 *that it is not feasible to prepare a fair and adequate summary of*  
12 *the proposed or adopted ordinance, resolution, or amendment,*  
13 *and if the governing body so orders, a display advertisement of at*  
14 *least one-quarter of a page in a newspaper of general circulation*  
15 *in the county shall be published at least five days prior to the*  
16 *governing body meeting at which the proposed ordinance,*  
17 *resolution, or amendment is to be adopted. Within 15 days after*  
18 *adoption of the ordinance, resolution, or amendment, a display*  
19 *advertisement of at least one-quarter of a page shall be published.*  
20 *The advertisement shall indicate the general nature of, and provide*  
21 *information about, the proposed or adopted ordinance, resolution,*  
22 *or amendment, including information sufficient to enable the public*  
23 *to obtain copies of the complete text of the ordinance, resolution,*  
24 *or amendment, and the names of those members voting for and*  
25 *against the ordinance, resolution, or amendment.*

26 ~~SEC. 92:~~

27 *SEC. 90.* Section 40355 of the Water Code is amended to read:

28 40355. (a) A director, when sitting on the board or acting under  
29 its orders, shall receive not exceeding:

30 (1) One hundred dollars (\$100) per day, not exceeding six days  
31 in any calendar month.

32 (2) Actual and necessary expenses while engaged in official  
33 business under the order of the board.

34 (b) For purposes of this section, the determination of whether  
35 a director's activities on any specific day are compensable shall  
36 be made pursuant to Article 2.3 (commencing with Section 53232)  
37 of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government  
38 Code.

39 (c) Reimbursement for these expenses is subject to Sections  
40 53232.2 and 53232.3 of the Government Code.

1     *SEC. 91. The Legislature finds and declares that, because of*  
2     *the unique circumstances applicable to the County of Sonoma, a*  
3     *statute of general applicability cannot be enacted within the*  
4     *meaning of subdivision (b) of Section 16 of Article IV of the*  
5     *California Constitution. Therefore, this special statute is necessary.*